

Amendment No.

CHAMBER ACTION

SenateHouse

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The Conference Committee on CS/HB 7069 offered the following:

Conference Committee Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Upon the expiration and reversion of the amendment to section 11.45, Florida Statutes, pursuant to section 36 of chapter 2016-62, Laws of Florida, paragraph (d) of subsection (2) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(d) Annually conduct financial audits of the accounts and records of all district school boards in counties with

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14 populations of fewer than 150,000, according to the most recent
15 federal decennial statewide census, and the Florida School for
16 the Deaf and the Blind.

17
18 The Auditor General shall perform his or her duties
19 independently but under the general policies established by the
20 Legislative Auditing Committee. This subsection does not limit
21 the Auditor General's discretionary authority to conduct other
22 audits or engagements of governmental entities as authorized in
23 subsection (3).

24 Section 2. Paragraph (c) of subsection (3) of section
25 1002.71, Florida Statutes, is amended to read:

26 1002.71 Funding; financial and attendance reporting.-

27 (3)

28 (c) The initial allocation shall be based on estimated
29 student enrollment in each coalition service area. The Office of
30 Early Learning shall reallocate funds among the coalitions based
31 on actual full-time equivalent student enrollment in each
32 coalition service area. Each coalition shall report student
33 enrollment pursuant to subsection (2) on a monthly basis. A
34 student enrollment count for the prior fiscal year may not be
35 amended after September 30 ~~December 31~~ of the subsequent fiscal
36 year.

37 Section 3. Subsection (21) of section 1003.52, Florida
38 Statutes, is amended to read:

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39 1003.52 Educational services in Department of Juvenile
40 Justice programs.—

41 ~~(21) The education programs at the Florida School for Boys~~
42 ~~in Okeechobee shall be operated by the Department of Education,~~
43 ~~either directly or through grants or contractual agreements with~~
44 ~~other public or duly accredited education agencies approved by~~
45 ~~the Department of Education.~~

46 Section 4. Upon the expiration and reversion of the
47 amendments to section 1011.62, Florida Statutes, pursuant to
48 section 23 of chapter 2016-62, Laws of Florida, subsections (15)
49 and (16) are renumbered as subsections (16) and (17),
50 respectively, paragraphs (e), (f), (h), and (i) and paragraphs
51 (1) through (o) of subsection (1), paragraph (a) of subsection
52 (4), paragraph (b) of subsection (7), paragraphs (a), (c), and
53 (d) of subsection (9), subsections (11), (12), (13), and (14),
54 and paragraph (b) of present subsection (15) of section 1011.62,
55 Florida Statutes, are amended, and a new subsection (13) is
56 added to that section, to read:

57 1011.62 Funds for operation of schools.—If the annual
58 allocation from the Florida Education Finance Program to each
59 district for operation of schools is not determined in the
60 annual appropriations act or the substantive bill implementing
61 the annual appropriations act, it shall be determined as
62 follows:

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63 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
64 OPERATION.—The following procedure shall be followed in
65 determining the annual allocation to each district for
66 operation:

67 (e) *Funding model for exceptional student education*
68 *programs.*—

69 1.a. The funding model uses basic, at-risk, support levels
70 IV and V for exceptional students and career Florida Education
71 Finance Program cost factors, and a guaranteed allocation for
72 exceptional student education programs. Exceptional education
73 cost factors are determined by using a matrix of services to
74 document the services that each exceptional student will
75 receive. The nature and intensity of the services indicated on
76 the matrix shall be consistent with the services described in
77 each exceptional student's individual educational plan. The
78 Department of Education shall review and revise the descriptions
79 of the services and supports included in the matrix of services
80 for exceptional students and shall implement those revisions
81 before the beginning of the 2012-2013 school year.

82 b. In order to generate funds using one of the two
83 weighted cost factors, a matrix of services must be completed at
84 the time of the student's initial placement into an exceptional
85 student education program and at least once every 3 years by
86 personnel who have received approved training. Nothing listed in
87 the matrix shall be construed as limiting the services a school

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88 district must provide in order to ensure that exceptional
89 students are provided a free, appropriate public education.

90 c. Students identified as exceptional, in accordance with
91 chapter 6A-6, Florida Administrative Code, who do not have a
92 matrix of services as specified in sub-subparagraph b. shall
93 generate funds on the basis of full-time-equivalent student
94 membership in the Florida Education Finance Program at the same
95 funding level per student as provided for basic students.
96 Additional funds for these exceptional students will be provided
97 through the guaranteed allocation designated in subparagraph 2.

98 2. For students identified as exceptional who do not have
99 a matrix of services and students who are gifted in grades K
100 through 8, there is created a guaranteed allocation to provide
101 these students with a free appropriate public education, in
102 accordance with s. 1001.42(4)(1) and rules of the State Board of
103 Education, which shall be allocated initially to each school
104 district in the amount provided in the General Appropriations
105 Act. These funds shall be supplemental to the funds appropriated
106 for the basic funding level, and the amount allocated for each
107 school district shall be recalculated ~~once~~ during the year,
108 based on actual student membership from ~~the October~~ FTE surveys
109 survey. Upon recalculation, if the generated allocation is
110 greater than the amount provided in the General Appropriations
111 Act, the total shall be prorated to the level of the
112 appropriation based on each district's share of the total

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113 recalculated amount. These funds shall be used to provide
114 special education and related services for exceptional students
115 and students who are gifted in grades K through 8. A district's
116 expenditure of funds from the guaranteed allocation for students
117 in grades 9 through 12 who are gifted may not be greater than
118 the amount expended during the 2006-2007 fiscal year for gifted
119 students in grades 9 through 12.

120 (f) *Supplemental academic instruction; categorical fund.*—

121 1. There is created a categorical fund to provide
122 supplemental academic instruction to students in kindergarten
123 through grade 12. This paragraph may be cited as the
124 "Supplemental Academic Instruction Categorical Fund."

125 2. ~~The categorical fund is funds for supplemental academic~~
126 ~~instruction shall be allocated annually to each school district~~
127 ~~in the amount provided in the General Appropriations Act. These~~
128 ~~funds shall be~~ in addition to the funds appropriated on the
129 basis of FTE student membership in the Florida Education Finance
130 Program and shall be included in the total potential funds of
131 each district. These funds shall be used to provide supplemental
132 academic instruction to students enrolled in the K-12 program.
133 ~~For the 2014-2015 fiscal year,~~ Each school district that has one
134 or more of the 300 lowest-performing elementary schools based on
135 the state reading assessment for the prior year shall use these
136 funds, together with the funds provided in the district's
137 research-based reading instruction allocation and other

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138 available funds, to provide an additional hour of instruction
139 beyond the normal school day for each day of the entire school
140 year for intensive reading instruction for the students in each
141 of these schools. This additional hour of instruction must be
142 provided by teachers or reading specialists who have
143 demonstrated effectiveness ~~are effective~~ in teaching reading or
144 by a K-5 mentoring reading program that is supervised by a
145 teacher who is effective at teaching reading. Students enrolled
146 in these schools who have level 5 assessment scores may
147 participate in the additional hour of instruction on an optional
148 basis. Exceptional student education centers shall not be
149 included in the 300 schools. The designation of the 300 lowest-
150 performing elementary schools must be based on the state reading
151 assessment for the prior year. After this requirement has been
152 met, supplemental instruction strategies may include, but are
153 not limited to: use of a modified curriculum, reading
154 instruction, after-school instruction, tutoring, mentoring, a
155 reduction in class size ~~reduction~~, extended school year,
156 intensive skills development in summer school, and other methods
157 of ~~for~~ improving student achievement. Supplemental instruction
158 may be provided to a student in any manner and at any time
159 during or beyond the regular 180-day term identified by the
160 school as being the most effective and efficient way to best
161 help that student progress from grade to grade and to graduate.

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3. Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that has a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the FTE surveys. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.

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186 ~~4.3.~~ Effective with the 1999-2000 fiscal year, funding on
187 the basis of FTE membership beyond the 180-day regular term
188 shall be provided in the FEFP only for students enrolled in
189 juvenile justice education programs or in education programs for
190 juveniles placed in secure facilities or programs under s.
191 985.19. Funding for instruction beyond the regular 180-day
192 school year for all other K-12 students shall be provided
193 through the supplemental academic instruction allocation
194 ~~categorical fund~~ and other state, federal, and local fund
195 sources with ample flexibility for schools to provide
196 supplemental instruction to assist students in progressing from
197 grade to grade and graduating.

198 ~~5.4.~~ The Florida State University School, as a lab school,
199 is authorized to expend from its FEFP or Lottery Enhancement
200 Trust Fund allocation the cost to the student of remediation in
201 reading, writing, or mathematics for any graduate who requires
202 remediation at a postsecondary educational institution.

203 ~~6.5.~~ Beginning in the 1999-2000 school year, dropout
204 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
205 (b), and (c), and 1003.54 shall be included in group 1 programs
206 under subparagraph (d)3.

207 (h) *Small, isolated ~~high~~ schools.*—Districts that ~~which~~
208 levy the maximum nonvoted discretionary millage, exclusive of
209 millage for capital outlay purposes levied pursuant to s.
210 1011.71(2), may calculate full-time equivalent students for

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211 small, isolated district-operated ~~high~~ schools by multiplying
212 the number of unweighted full-time equivalent students times
213 2.75; ~~provided the school has attained a grade of "C" or better,~~
214 ~~pursuant to s. 1008.34, for the previous school year. The~~
215 following schools may be considered small, isolated schools
216 under this paragraph:

217 1. A ~~For the purpose of this section, the term "small,~~
218 ~~isolated high school" means Any high school that which is~~
219 located at least ~~no less than~~ 28 miles by the shortest route
220 from another high school; ~~which~~ has been serving students
221 primarily in basic studies provided by sub-subparagraphs (c)1.b.
222 and c. and may include subparagraph (c)4.; and ~~which~~ has a
223 membership of at least 28, but no more than 100, students, ~~but~~
224 ~~no fewer than 28 students,~~ in grades 9 through 12; or-

225 2. A district elementary school with a grade configuration
226 of kindergarten through grade 5, but which may also include
227 prekindergarten, grade 6, grade 7, or grade 8, that is located
228 at least 35 miles by the shortest route from another elementary
229 school within the district; has been serving students primarily
230 in basic studies provided by sub-subparagraphs (c)1.a. and b.
231 and may include subparagraph (c)4.; has a student population in
232 which 75 percent or greater of students are eligible for free
233 and reduced-price school lunch; and has a membership of at least
234 28, but no more than 100, students.

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(i) *Calculation of full-time equivalent membership with respect to dual enrollment instruction.*—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(4). Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district. Students in dual enrollment courses may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a Florida College System institution or university conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or university and may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. However, those provisions of law which exempt dual enrolled and early admission students from payment of instructional materials and tuition and fees, including

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laboratory fees, shall not apply to students who select the option of enrolling in an eligible independent institution. An independent college or university, ~~which is located and chartered in Florida,~~ is not for profit, is accredited by a regional or national accrediting agency recognized by the United States Department of Education ~~the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools,~~ and confers degrees as defined in s. 1005.02 shall be eligible for inclusion in the dual enrollment or early admission program. Students enrolled in dual enrollment instruction shall be exempt from the payment of tuition and fees, including laboratory fees. No student enrolled in college credit mathematics or English dual enrollment instruction shall be funded as a dual enrollment unless the student has successfully completed the relevant section of the entry-level examination required pursuant to s. 1008.30.

(1) *Calculation of additional full-time equivalent membership based on International Baccalaureate examination scores of students.*—A value of 0.16 full-time equivalent student membership shall be calculated for each student enrolled in an International Baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an International Baccalaureate diploma.

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Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each school district shall allocate 80 percent of the funds received from International Baccalaureate bonus FTE funding to the school program whose students generate the funds and to school programs that prepare prospective students to enroll in International Baccalaureate courses. Funds shall be expended solely for the payment of allowable costs associated with the International Baccalaureate program. Allowable costs include International Baccalaureate annual school fees; International Baccalaureate examination fees; salary, benefits, and bonuses for teachers and program coordinators for the International Baccalaureate program and teachers and coordinators who prepare prospective students for the International Baccalaureate program; supplemental books; instructional supplies; instructional equipment or instructional materials for International Baccalaureate courses; other activities that identify prospective International Baccalaureate students or prepare prospective students to enroll in International Baccalaureate courses; and training or professional development for International Baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from International Baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses. The

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310 school district shall distribute to each classroom teacher who
311 provided International Baccalaureate instruction:

312 1. A bonus in the amount of \$50 for each student taught by
313 the International Baccalaureate teacher in each International
314 Baccalaureate course who receives a score of 4 or higher on the
315 International Baccalaureate examination.

316 2. An additional bonus of \$500 to each International
317 Baccalaureate teacher in a school designated with a grade of "D"
318 or "F" who has at least one student scoring 4 or higher on the
319 International Baccalaureate examination, regardless of the
320 number of classes taught or of the number of students scoring a
321 4 or higher on the International Baccalaureate examination.

322
~~323 Bonuses awarded to a teacher according to this paragraph may not~~
~~324 exceed \$2,000 in any given school year. However, the maximum~~
~~325 bonus shall be \$3,000 if at least 50 percent of the students~~
~~326 enrolled in a teacher's course earn a score of 4 or higher on~~
~~327 the examination in a school designated with a grade of "A," "B,"~~
~~328 or "C"; or if at least 25 percent of the students enrolled in a~~
~~329 teacher's course earn a score of 4 or higher on the examination~~
~~330 in a school designated with a grade of "D" or "F."~~ Bonuses
331 awarded under this paragraph shall be in addition to any regular
332 wage or other bonus the teacher received or is scheduled to
333 receive. For such courses, the teacher shall earn an additional

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334 bonus of \$50 for each student who has a qualifying score ~~up to~~
335 ~~the maximum of \$3,000 in any given school year.~~

336 (m) *Calculation of additional full-time equivalent*
337 *membership based on Advanced International Certificate of*
338 *Education examination scores of students.*—A value of 0.16 full-
339 time equivalent student membership shall be calculated for each
340 student enrolled in a full-credit Advanced International
341 Certificate of Education course who receives a score of E or
342 higher on a subject examination. A value of 0.08 full-time
343 equivalent student membership shall be calculated for each
344 student enrolled in a half-credit Advanced International
345 Certificate of Education course who receives a score of E or
346 higher on a subject examination. A value of 0.3 full-time
347 equivalent student membership shall be calculated for each
348 student who receives an Advanced International Certificate of
349 Education diploma. Such value shall be added to the total full-
350 time equivalent student membership in basic programs for grades
351 9 through 12 in the subsequent fiscal year. Each school district
352 shall allocate at least 80 percent of the funds received from
353 the Advanced International Certificate of Education bonus FTE
354 funding, in accordance with this paragraph, to the school
355 program that generated the funds. The school district shall
356 distribute to each classroom teacher who provided Advanced
357 International Certificate of Education instruction:

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1. A bonus in the amount of \$50 for each student taught by the Advanced International Certificate of Education teacher in each full-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination. A bonus in the amount of \$25 for each student taught by the Advanced International Certificate of Education teacher in each half-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination.

2. An additional bonus of \$500 to each Advanced International Certificate of Education teacher in a school designated with a grade of "D" or "F" who has at least one student scoring E or higher on the full-credit Advanced International Certificate of Education examination, regardless of the number of classes taught or of the number of students scoring an E or higher on the full-credit Advanced International Certificate of Education examination.

3. Additional bonuses of \$250 each to teachers of half-credit Advanced International Certificate of Education classes in a school designated with a grade of "D" or "F" which has at least one student scoring an E or higher on the half-credit Advanced International Certificate of Education examination in that class. ~~The maximum additional bonus for a teacher awarded in accordance with this subparagraph shall not exceed \$500 in~~

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383 ~~any given school year.~~ Teachers receiving an award under
384 subparagraph 2. are not eligible for a bonus under this
385 subparagraph.

386
387 Bonuses awarded to a teacher according to this paragraph ~~shall~~
388 ~~not exceed \$2,000 in any given school year and~~ shall be in
389 addition to any regular wage or other bonus the teacher received
390 or is scheduled to receive.

391 (n) *Calculation of additional full-time equivalent*
392 *membership based on college board advanced placement scores of*
393 *students.*—A value of 0.16 full-time equivalent student
394 membership shall be calculated for each student in each advanced
395 placement course who receives a score of 3 or higher on the
396 College Board Advanced Placement Examination for the prior year
397 and added to the total full-time equivalent student membership
398 in basic programs for grades 9 through 12 in the subsequent
399 fiscal year. Each district must allocate at least 80 percent of
400 the funds provided to the district for advanced placement
401 instruction, in accordance with this paragraph, to the high
402 school that generates the funds. The school district shall
403 distribute to each classroom teacher who provided advanced
404 placement instruction:

405 1. A bonus in the amount of \$50 for each student taught by
406 the Advanced Placement teacher in each advanced placement course

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who receives a score of 3 or higher on the College Board
Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement
teacher in a school designated with a grade of "D" or "F" who
has at least one student scoring 3 or higher on the College
Board Advanced Placement Examination, regardless of the number
of classes taught or of the number of students scoring a 3 or
higher on the College Board Advanced Placement Examination.

~~Bonuses awarded to a teacher according to this paragraph shall
not exceed \$2,000 in any given school year. However, the maximum
bonus shall be \$3,000 if at least 50 percent of the students
enrolled in a teacher's course earn a score of 3 or higher on
the examination in a school with a grade of "A," "B," or "C" or
if at least 25 percent of the students enrolled in a teacher's
course earn a score of 3 or higher on the examination in a
school with a grade of "D" or "F."~~ Bonuses awarded under this
paragraph shall be in addition to any regular wage or other
bonus the teacher received or is scheduled to receive. For such
courses, the teacher shall earn an additional bonus of \$50 for
each student who has a qualifying score ~~up to the maximum of
\$3,000 in any given school year.~~

(o) *Calculation of additional full-time equivalent
membership based on successful completion of a career-themed
course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*

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432 *courses with embedded CAPE industry certifications or CAPE*
433 *Digital Tool certificates, and issuance of industry*
434 *certification identified on the CAPE Industry Certification*
435 *Funding List pursuant to rules adopted by the State Board of*
436 *Education or CAPE Digital Tool certificates pursuant to s.*
437 *1003.4203.—*

438 1.a. A value of 0.025 full-time equivalent student
439 membership shall be calculated for CAPE Digital Tool
440 certificates earned by students in elementary and middle school
441 grades.

442 b. A value of 0.1 or 0.2 full-time equivalent student
443 membership shall be calculated for each student who completes a
444 course as defined in s. 1003.493(1)(b) or courses with embedded
445 CAPE industry certifications and who is issued an industry
446 certification identified annually on the CAPE Industry
447 Certification Funding List approved under rules adopted by the
448 State Board of Education. A value of 0.2 full-time equivalent
449 membership shall be calculated for each student who is issued a
450 CAPE industry certification that has a statewide articulation
451 agreement for college credit approved by the State Board of
452 Education. For CAPE industry certifications that do not
453 articulate for college credit, the Department of Education shall
454 assign a full-time equivalent value of 0.1 for each
455 certification. Middle grades students who earn additional FTE
456 membership for a CAPE Digital Tool certificate pursuant to sub-

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subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and

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the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a

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CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2.

c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph ~~may not exceed \$3,000 in any given school year and~~ is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

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(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) *Estimated taxable value calculations.*—

1.a. Not later than 2 working days before July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (16)(b) ~~(15)(b)~~. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education

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556 shall certify to each district school board the millage rate,
557 computed as prescribed in this subparagraph, as the minimum
558 millage rate necessary to provide the district required local
559 effort for that year.

560 b. The General Appropriations Act shall direct the
561 computation of the statewide adjusted aggregate amount for
562 required local effort for all school districts collectively from
563 ad valorem taxes to ensure that no school district's revenue
564 from required local effort millage will produce more than 90
565 percent of the district's total Florida Education Finance
566 Program calculation as calculated and adopted by the
567 Legislature, and the adjustment of the required local effort
568 millage rate of each district that produces more than 90 percent
569 of its total Florida Education Finance Program entitlement to a
570 level that will produce only 90 percent of its total Florida
571 Education Finance Program entitlement in the July calculation.

572 2. On the same date as the certification in sub-
573 subparagraph 1.a., the Department of Revenue shall certify to
574 the Commissioner of Education for each district:

575 a. Each year for which the property appraiser has
576 certified the taxable value pursuant to s. 193.122(2) or (3), if
577 applicable, since the prior certification under sub-subparagraph
578 1.a.

579 b. For each year identified in sub-subparagraph a., the
580 taxable value certified by the appraiser pursuant to s.

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193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—

(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. For districts with a full-time equivalent student membership of at least 20,000, but no more than 24,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~ ~~in~~ Each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment, ~~priority shall~~ give priority ~~be given~~ to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school

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606 year for the students in each school. The designation of the 300
607 lowest-performing elementary schools must be based on the state
608 reading assessment for the prior year. Students enrolled in
609 these schools who have level 5 assessment scores may participate
610 in the additional hour of instruction on an optional basis.
611 Exceptional student education centers may ~~shall~~ not be included
612 in the 300 schools. The intensive reading instruction delivered
613 in this additional hour and for other students shall include:
614 research-based reading instruction that has been proven to
615 accelerate progress of students exhibiting a reading deficiency;
616 differentiated instruction based on screening, diagnostic,
617 progress monitoring, or student assessment data to meet
618 students' specific reading needs; explicit and systematic
619 reading strategies to develop ~~development in~~ phonemic awareness,
620 phonics, fluency, vocabulary, and comprehension, with more
621 extensive opportunities for guided practice, error correction,
622 and feedback; and the integration of social studies, science,
623 and mathematics-text reading, text discussion, and writing in
624 response to reading. ~~For the 2012-2013 and 2013-2014 fiscal~~
625 ~~years, a school district may not hire more reading coaches than~~
626 ~~were hired during the 2011-2012 fiscal year unless all students~~
627 ~~in kindergarten through grade 5 who demonstrate a reading~~
628 ~~deficiency, as determined by district and state assessments,~~
629 ~~including students scoring Level 1 or Level 2 on the statewide,~~
630 ~~standardized reading assessment or, upon implementation, the~~

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~~English Language Arts assessment, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.~~

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. The provision of an additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness ~~are effective~~ in teaching reading.

2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3. The provision of highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school

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656 district teachers earn a certification or an endorsement in
657 reading.

658 5. The provision of summer reading camps for all students
659 in kindergarten through grade 2 who demonstrate a reading
660 deficiency as determined by district and state assessments, and
661 students in grades 3 through 5 who score at Level 1 on the
662 statewide, standardized reading assessment or, upon
663 implementation, the English Language Arts assessment.

664 6. The provision of supplemental instructional materials
665 that are grounded in scientifically based reading research.

666 7. The provision of intensive interventions for students
667 in kindergarten through grade 12 who have been identified as
668 having a reading deficiency or who are reading below grade level
669 as determined by the statewide, standardized assessment.

670 (d)1. Annually, by a date determined by the Department of
671 Education but before May 1, school districts shall submit a K-12
672 comprehensive reading plan for the specific use of the research-
673 based reading instruction allocation in the format prescribed by
674 the department for review and approval by the Just Read,
675 Florida! Office created pursuant to s. 1001.215. The plan
676 annually submitted by school districts shall be deemed approved
677 unless the department rejects the plan on or before June 1. If a
678 school district and the Just Read, Florida! Office cannot reach
679 agreement on the contents of the plan, the school district may
680 appeal to the State Board of Education for resolution. School

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districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall allow courses in core, career, and alternative programs that deliver intensive reading remediation through integrated curricula, provided that the teacher is deemed highly qualified to teach reading or working toward that status. No later than July 1 annually, the department shall release the school district's allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.

2. Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a) shall specifically delineate in the comprehensive reading plan, or in an addendum to the

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comprehensive reading plan, the implementation design and reading intervention strategies that will be used for the required additional hour of reading instruction. The term "reading intervention" includes evidence-based strategies frequently used to remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

(11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEEP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455 ~~s. 1002.455(3)~~ and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.

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(12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

(a) The Florida digital classrooms allocation is created to support the efforts of school districts ~~district~~ and schools, including charter schools, ~~school efforts and strategies~~ to integrate ~~improve outcomes related to student performance by integrating~~ technology in classroom teaching and learning to ensure students have access to high-quality electronic and digital instructional materials and resources, and empower classroom teachers to help their students succeed. Each school district shall receive a minimum digital classrooms allocation in the amount provided in the General Appropriations Act. The remaining balance of the digital classrooms allocation shall be allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment.

(b) Funds allocated under this subsection must be used for costs associated with:

1. Acquiring and maintaining the items on the eligible services list authorized by the Universal Service Administrative Company for the Schools and Libraries Program, more commonly referred to as the federal E-rate program.

2. Acquiring computer and device hardware and associated operating system software that complies with the requirements of s. 1001.20(4)(a)1.b.

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755 3. Providing professional development, including in-state
756 conference attendance or online coursework, to enhance the use
757 of technology for digital instructional strategies ~~The outcomes~~
758 ~~must be measurable and may also be unique to the needs of~~
759 ~~individual schools and school districts within the general~~
760 ~~parameters established by the Department of Education.~~

761 ~~(b) Each district school board shall adopt a district~~
762 ~~digital classrooms plan that meets the unique needs of students,~~
763 ~~schools, and personnel and submit the plan for approval to the~~
764 ~~Department of Education. In addition, each district school board~~
765 ~~must, at a minimum, seek input from the district's~~
766 ~~instructional, curriculum, and information technology staff to~~
767 ~~develop the district digital classrooms plan. The district's~~
768 ~~plan must be within the general parameters established in the~~
769 ~~Florida digital classrooms plan pursuant to s. 1001.20. In~~
770 ~~addition, if the district participates in federal technology~~
771 ~~initiatives and grant programs, the district digital classrooms~~
772 ~~plan must include a plan for meeting requirements of such~~
773 ~~initiatives and grant programs. Funds allocated under this~~
774 ~~subsection must be used to support implementation of district~~
775 ~~digital classrooms plans. By October 1, 2014, and by March 1 of~~
776 ~~each year thereafter, on a date determined by the department,~~
777 ~~each district school board shall submit to the department, in a~~
778 ~~format prescribed by the department, a digital classrooms plan.~~

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~~At a minimum, such plan must include, and be annually updated to reflect, the following:~~

~~1. Measurable student performance outcomes. Outcomes related to student performance, including outcomes for students with disabilities, must be tied to the efforts and strategies to improve outcomes related to student performance by integrating technology in classroom teaching and learning. Results of the outcomes shall be reported at least annually for the current school year and subsequent 3 years and be accompanied by an independent evaluation and validation of the reported results.~~

~~2. Digital learning and technology infrastructure purchases and operational activities. Such purchases and activities must be tied to the measurable outcomes under subparagraph 1., including, but not limited to, connectivity, broadband access, wireless capacity, Internet speed, and data security, all of which must meet or exceed minimum requirements and protocols established by the department. For each year that the district uses funds for infrastructure, a third party, independent evaluation of the district's technology inventory and infrastructure needs must accompany the district's plan.~~

~~3. Professional development purchases and operational activities. Such purchases and activities must be tied to the measurable outcomes under subparagraph 1., including, but not limited to, using technology in the classroom and improving digital literacy and competency.~~

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~~4. Digital tool purchases and operational activities. Such purchases and activities must be tied to the measurable outcomes under subparagraph 1., including, but not limited to, competency-based credentials that measure and demonstrate digital competency and certifications; third party assessments that demonstrate acquired knowledge and use of digital applications; and devices that meet or exceed minimum requirements and protocols established by the department.~~

~~5. Online assessment-related purchases and operational activities. Such purchases and activities must be tied to the measurable outcomes under subparagraph 1., including, but not limited to, expanding the capacity to administer assessments and compatibility with minimum assessment protocols and requirements established by the department.~~

~~(c) The Legislature shall annually provide in the General Appropriations Act the FEFP allocation for implementation of the Florida digital classrooms plan to be calculated in an amount up to 1 percent of the base student allocation multiplied by the total K-12 full-time equivalent student enrollment included in the FEFP calculations for the legislative appropriation or as provided in the General Appropriations Act. Each school district shall be provided a minimum of \$250,000, with the remaining balance of the allocation to be distributed based on each district's proportion of the total K-12 full-time equivalent student enrollment. Distribution of funds for the Florida~~

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~~digital classrooms allocation shall begin following submittal of each district's digital classrooms plan, which must include formal verification of the superintendent's approval of the digital classrooms plan of each charter school in the district, and approval of the plan by the department. Prior to the distribution of the Florida digital classrooms allocation funds, each district school superintendent shall certify to the Commissioner of Education that the district school board has approved a comprehensive district digital classrooms plan that supports the fidelity of implementation of the Florida digital classrooms allocation. District allocations shall be recalculated during the fiscal year consistent with the periodic recalculation of the FEFP. School districts shall provide a proportionate share of the digital classrooms allocation to each charter school in the district, as required for categorical programs in s. 1002.33(17)(b). A school district may use a competitive process to distribute funds for the Florida digital classrooms allocation to the schools within the school district.~~

~~(d) To facilitate the implementation of the district digital classrooms plans and charter school digital classrooms plans, the commissioner shall support statewide, coordinated partnerships and efforts of this state's education practitioners in the field, including, but not limited to, superintendents, principals, and teachers, to identify and share best practices, corrective actions, and other identified needs.~~

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~~(e) Beginning in the 2015-2016 fiscal year and each year thereafter, each district school board shall report to the department its use of funds provided through the Florida digital classrooms allocation and student performance outcomes in accordance with the district's digital classrooms plan. The department may contract with an independent third-party entity to conduct an annual independent verification of the district's use of Florida digital classrooms allocation funds in accordance with the district's digital classrooms plan. In the event an independent third-party verification is not conducted, the Auditor General shall, during scheduled operational audits of the school districts, verify compliance of the use of Florida digital classrooms allocation funds in accordance with the district's digital classrooms plan. No later than October 1 of each year, beginning in the 2015-2016 fiscal year, the commissioner shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a summary of each district's use of funds, student performance outcomes, and progress toward meeting statutory requirements and timelines.~~

~~(f) Each school district shall provide teachers, administrators, students, and parents with access to:~~

~~1. Instructional materials in digital or electronic format, as defined in s. 1006.29.~~

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~~2. Digital materials, including those digital materials that enable students to earn certificates and industry certifications pursuant to ss. 1003.4203 and 1008.44.~~

~~3. Teaching and learning tools and resources, including the ability for teachers and administrators to manage, assess, and monitor student performance data.~~

~~(g) For the 2016-2017 fiscal year, notwithstanding paragraph (c), each school district shall be provided a minimum of \$500,000, with the remaining balance of the allocation to be distributed based on each district's proportion of the total K-12 full-time equivalent enrollment. Each district's digital classrooms allocation plan must give preference to funding the number of devices that comply with the requirements of s. 1001.20(4)(a)1.b. and that are needed to allow each school to administer the Florida Standards Assessments to an entire grade at the same time. If the district's digital classrooms allocation plan does not include the purchase of devices, the district must certify in the plan that the district currently has sufficient devices to allow each school to administer the Florida Standards Assessments in the manner described in this paragraph. This paragraph expires July 1, 2017.~~

(13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations,

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903 National Aeronautics and Space Administration (NASA) real
904 property, and Indian lands. To be eligible for this supplement,
905 the district must be eligible for federal Impact Aid Program
906 funds under s. 8003 of Title VIII of the Elementary and
907 Secondary Education Act of 1965. The supplement shall be
908 allocated annually to each eligible school district in the
909 ~~amount provided in the~~ General Appropriations Act. The
910 supplement shall be the sum of the student allocation and an
911 exempt property allocation.

912 (a) The student allocation shall be calculated based on
913 the number of students reported for federal Impact Aid Program
914 funds, including students with disabilities, who meet one of the
915 following criteria:

916 1. The student has a parent who is on active duty in the
917 uniformed services or is an accredited foreign government
918 official and military officer. Students with disabilities shall
919 also be reported separately for this category.

920 2. The student resides on eligible federally owned Indian
921 land. Students with disabilities shall also be reported
922 separately for this category.

923 3. The student resides with a civilian parent who lives or
924 works on eligible federal property connected with a military
925 installation or NASA. The number of these students shall be
926 multiplied by a factor of 0.5.

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(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and 2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, ~~as of January 1 of the previous year,~~ multiplied by the millage authorized and levied under s. 1011.71(2).

(d) The amount allocated for each eligible school district shall be recalculated during the year using actual student membership, as amended, from the most recent February survey and the tax-exempt valuation from the most recent assessment roll. Upon recalculation, if the total allocation is greater than the amount provided in the General Appropriations Act, it must be prorated to the level of the appropriation based on each district's share of the total recalculated amount.

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(14) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (16) ~~(15)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (16) ~~(15)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is created to provide funding to assist school districts in their compliance with ss. 1006.07-1006.148, with priority given to

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976 establishing a school resource officer program pursuant to s.
977 1006.12. Each school district shall receive a minimum safe
978 schools allocation in an amount provided in the General
979 Appropriations Act. Of the remaining balance of the safe schools
980 allocation, two-thirds shall be allocated to school districts
981 based on the most recent official Florida Crime Index provided
982 by the Department of Law Enforcement and one-third shall be
983 allocated based on each school district's proportionate share of
984 the state's total unweighted full-time equivalent student
985 enrollment.

986 (16) (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
987 FOR CURRENT OPERATION.—The total annual state allocation to each
988 district for current operation for the FEFP shall be distributed
989 periodically in the manner prescribed in the General
990 Appropriations Act.

991 (b) The amount thus obtained shall be the net annual
992 allocation to each school district. However, if it is determined
993 that any school district received an under allocation or over
994 allocation ~~underallocation or overallocation~~ for any prior year
995 because of an arithmetical error, assessment roll change
996 required by final judicial decision, full-time equivalent
997 student membership error, or any allocation error revealed in an
998 audit report, the allocation to that district shall be
999 appropriately adjusted. An under allocation in a prior year
1000 caused by a school district's error may not be the basis for a

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1001 positive allocation adjustment for the current year. Beginning
1002 with the 2011-2012 fiscal year, if a special program cost factor
1003 is less than the basic program cost factor, an audit adjustment
1004 may not result in the reclassification of the special program
1005 FTE to the basic program FTE. If the Department of Education
1006 audit adjustment recommendation is based upon controverted
1007 findings of fact, the Commissioner of Education is authorized to
1008 establish the amount of the adjustment based on the best
1009 interests of the state.

1010 Section 5. Section 1013.738, Florida Statutes, is amended
1011 to read:

1012 1013.738 High Growth District Capital Outlay Assistance
1013 Grant Program.—

1014 (1) Subject to funds provided in the General
1015 Appropriations Act, the High Growth District Capital Outlay
1016 Assistance Grant Program is hereby established. Funds provided
1017 pursuant to this section may only be used for the purposes
1018 identified in s. 1011.71(2) ~~to construct new student stations.~~

1019 (2) In order to qualify for a grant, a school district
1020 must meet the following criteria:

1021 (a) The district must have levied the maximum ~~full 1.5~~
1022 mills of nonvoted discretionary capital outlay millage
1023 authorized in s. 1011.71(2) for each of the prior 5 ~~past 4~~
1024 fiscal years.

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1025 (b) The district must receive revenue from a current voted
1026 school capital outlay sales surtax or a portion of the local
1027 government infrastructure surtax as authorized in s. 212.055.

1028 (c) ~~(b) Fifty percent of~~ The revenue derived from the ~~2-~~
1029 ~~mill~~ nonvoted discretionary capital outlay millage ~~for the past~~
1030 ~~4 fiscal years~~, when divided by the district's ~~growth in~~ capital
1031 outlay FTE students ~~over this period~~, produces a value that is
1032 less than the statewide average maximum potential funds cost per
1033 capital outlay FTE student station calculated pursuant to s.
1034 ~~1013.64(6)(b)1., and weighted by statewide growth in capital~~
1035 ~~outlay FTE students in elementary, middle, and high schools for~~
1036 ~~the most recent past 4 fiscal year years.~~

1037 (d) ~~(e)~~ The district must have equaled or exceeded the
1038 greater of 1 percent average growth or twice the statewide
1039 average of growth in capital outlay FTE students over the prior
1040 5-year this same 4-year period.

1041 ~~(d) The Commissioner of Education must have released all~~
1042 ~~funds allocated to the district from the Classrooms First~~
1043 ~~Program authorized in s. 1013.68, and these funds were fully~~
1044 ~~expended by the district as of February 1 of the current fiscal~~
1045 ~~year.~~

1046 (e) The total capital outlay FTE students of the district
1047 is greater than 24,000 ~~15,000~~ students.

1048 (3) The funds provided in the General Appropriations Act
1049 shall be allocated pursuant to the following methodology:

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(a) For each eligible district, the Department of Education shall ~~sum calculate~~ the calculated value of 50 percent ~~of the revenue derived from the maximum potential 2-mill~~ nonvoted discretionary capital outlay millage and the revenue received from the voted sales surtax as provided in paragraph (2) (b) and divide that sum ~~for the past 4 fiscal years divided~~ by the number of ~~increase in~~ capital outlay FTE students for the same period.

(b) The Department of Education shall determine, for each eligible district, the amount that must be added to the funds per capital outlay FTE ~~value~~ calculated pursuant to paragraph (a) to produce the statewide weighted average value per capital outlay FTE for the revenues identified ~~student station~~ ~~calculated pursuant to paragraph (a) (2) (b).~~

(c) The value calculated for each eligible district pursuant to paragraph (b) shall be ~~multiplied by the average increase in capital outlay FTE students for the past 4 fiscal years to determine~~ the maximum amount of a grant that may be awarded to a district pursuant to this section.

(d) In the event the funds provided ~~in the General Appropriations Act~~ are insufficient to fully fund the maximum grants calculated pursuant to this section ~~paragraph (c)~~, the Department of Education shall allocate the funds based on each district's prorated share of the total maximum award amount calculated for all eligible districts.

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Section 6. Paragraph (b) of subsection (3) of section 1011.78, Florida Statutes, is amended to read:

1011.78 Standard student attire incentive payments.—There is created an incentive payment for school districts and charter schools that implement a standard student attire policy for all students in kindergarten through grade 8 in accordance with this section.

(3) QUALIFICATIONS.—To qualify for the incentive payment, a school district or charter school must, at a minimum, implement a standard attire policy that:

(b) Prohibits certain types or styles of clothing ~~and requires solid-colored clothing and fabrics for pants, skirts, shorts, or similar clothing and short- or long-sleeved shirts with collars.~~

Section 7. Section 1003.631, Florida Statutes, is created to read:

1003.631 Schools of Excellence.—The Schools of Excellence Program is established to provide administrative flexibility to the state's top schools so that the instructional personnel and administrative staff at such schools can continue to serve their communities and increase student learning to the best of their professional ability.

(1) DESIGNATION.—

(a) The State Board of Education shall designate a school as a School of Excellence if the school's percentage of possible

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points earned in its school grade calculation is in the 80th percentile or higher for schools comprised of the same grade groupings, including elementary schools, middle schools, high schools, and schools with a combination of grade levels, for at least 2 of the last 3 school years. The school must have data for each applicable school grade component pursuant to s. 1008.34(3) to be eligible for designation as a School of Excellence. A qualifying school shall retain the designation as a School of Excellence for up to 3 years, at the end of which time the school may renew the designation, if:

1. The school was in the 80th percentile or higher pursuant to this subsection for 2 of the previous 3 years; and

2. The school did not receive a school grade lower than "B" pursuant to s. 1008.34 during any of the previous 3 years.

(b) A school that earns a school grade lower than "B" pursuant to s. 1008.34 during the 3-year period may not continue to be designated as a School of Excellence during the remainder of that 3-year period and loses the administrative flexibilities provided in subsection (2).

(2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence must be provided the following administrative flexibilities:

(a) Exemption from any provision of law or rule that expressly requires a minimum period of daily or weekly instruction in reading.

(b) Principal autonomy as provided under s. 1012.28(8).

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1125 (c) For instructional personnel, the substitution of 1
1126 school year of employment at a School of Excellence for 20
1127 inservice points toward the renewal of a professional
1128 certificate, up to 60 inservice points in a 5-year cycle,
1129 pursuant to s. 1012.585(3).

1130 (d) Exemption from compliance with district policies or
1131 procedures that establish times for the start and completion of
1132 the school day.

1133 (e) Calculation for compliance with maximum class size
1134 pursuant to s. 1003.03(4) based on the average number of
1135 students at the school level.

1136 Section 8. Paragraph (c) of subsection (8) of section
1137 1012.56, Florida Statutes, is redesignated as paragraph (d),
1138 subsections (1) and (7), and paragraph (a) of subsection (8) are
1139 amended, and a new paragraph (c) is added to subsection (8) of
1140 that section, to read:

1141 1012.56 Educator certification requirements.—

1142 (1) APPLICATION.—Each person seeking certification
1143 pursuant to this chapter shall submit a completed application
1144 containing the applicant's social security number to the
1145 Department of Education and remit the fee required pursuant to
1146 s. 1012.59 and rules of the State Board of Education. Pursuant
1147 to the federal Personal Responsibility and Work Opportunity
1148 Reconciliation Act of 1996, each party is required to provide
1149 his or her social security number in accordance with this

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section. Disclosure of social security numbers obtained through this requirement is limited to the purpose of administration of the Title IV-D program of the Social Security Act for child support enforcement.

(a) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt ~~the stamped receipted date~~ of the completed application.

~~(a) If the applicant meets the requirements,~~ a professional certificate to a qualifying applicant covering the classification, level, and area for which the applicant is deemed qualified and a document explaining the requirements for renewal of the professional certificate.

(b) The department shall issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from ~~if the applicant meets the requirements and if requested by an employer employing school district or an employing private school~~ with a professional education competence demonstration program pursuant to paragraphs (6)(f) and (8)(b). The, a temporary certificate must cover ~~covering~~ the classification, level, and area for which the applicant is deemed qualified. The department shall electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant an official statement of status of eligibility at the time the certificate is issued. ~~and an official statement of status of eligibility; or~~

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(c) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application, if an applicant does not meet the requirements for either certificate, an official statement of status of eligibility.

The statement of status of eligibility must be provided electronically and must advise the applicant of any qualifications that must be completed to qualify for certification. Each method by which an applicant can complete the qualifications for a professional certificate must be included in the statement of status of eligibility. Each statement of status of eligibility is valid for 3 years after its date of issuance, except as provided in paragraph (2)(d).

(7) TYPES AND TERMS OF CERTIFICATION.—

(a) The Department of Education shall issue a professional certificate for a period not to exceed 5 years to any applicant who fulfills one of the following:

1. Meets all the requirements outlined in subsection (2).
2. ~~or,~~ For a professional certificate covering grades 6 through 12, ~~any applicant who:~~
 - a.1. Meets the requirements of paragraphs (2)(a)-(h).
 - b.2. Holds a master's or higher degree in the area of science, technology, engineering, or mathematics.

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1199 ~~c.3.~~ Teaches a high school course in the subject of the
1200 advanced degree.

1201 ~~d.4.~~ Is rated highly effective as determined by the
1202 teacher's performance evaluation under s. 1012.34, based in part
1203 on student performance as measured by a statewide, standardized
1204 assessment or an Advanced Placement, Advanced International
1205 Certificate of Education, or International Baccalaureate
1206 examination.

1207 ~~e.5.~~ Achieves a passing score on the Florida professional
1208 education competency examination required by state board rule.

1209 3. Meets the requirements of paragraphs (2)(a)-(h) and
1210 completes a professional preparation and education competence
1211 program approved by the department pursuant to paragraph (8)(c).
1212 An applicant who completes the program and is rated highly
1213 effective as determined by his or her performance evaluation
1214 under s. 1012.34 is not required to take or achieve a passing
1215 score on the professional education competency examination in
1216 order to be awarded a professional certificate.

1217 (b) The department shall issue a temporary certificate to
1218 any applicant who completes the requirements outlined in
1219 paragraphs (2)(a)-(f) and completes the subject area content
1220 requirements specified in state board rule or demonstrates
1221 mastery of subject area knowledge pursuant to subsection (5) and
1222 holds an accredited degree or a degree approved by the

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Department of Education at the level required for the subject area specialization in state board rule.

(c) The department shall issue one nonrenewable 2-year temporary certificate and one nonrenewable 5-year professional certificate to a qualified applicant who holds a bachelor's degree in the area of speech-language impairment to allow for completion of a master's degree program in speech-language impairment.

Each temporary certificate is valid for 3 school fiscal years and is nonrenewable. However, the requirement in paragraph (2) (g) must be met within 1 calendar year of the date of employment under the temporary certificate. Individuals who are employed under contract at the end of the 1 calendar year time period may continue to be employed through the end of the school year in which they have been contracted. A school district shall not employ, or continue the employment of, an individual in a position for which a temporary certificate is required beyond this time period if the individual has not met the requirement of paragraph (2) (g). At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed. The State Board of Education shall adopt rules to

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allow the department to extend the validity period of a temporary certificate for 2 years when the requirements for the professional certificate, not including the requirement in paragraph (2)(g), were not completed due to the serious illness or injury of the applicant or other extraordinary extenuating circumstances or for 1 year if the temporary certificateholder is rated effective or highly effective based solely on a student learning growth formula approved by the Commissioner of Education pursuant to s. 1012.34(8). The department shall reissue the temporary certificate for 2 additional years upon approval by the Commissioner of Education. A written request for reissuance of the certificate shall be submitted by the district school superintendent, the governing authority of a university lab school, the governing authority of a state-supported school, or the governing authority of a private school.

(8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—

(a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based professional development certification and education competency program by which ~~members of a school district's~~ instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection (6) and rules of the State Board of Education. Participants must

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1273 hold a state-issued temporary certificate. A school district,
1274 charter school, or charter management organization that
1275 implements the program shall provide a competency-based
1276 certification program developed by the Department of Education
1277 or developed by the district, charter school, or charter
1278 management organization and approved by the Department of
1279 Education. The program shall include the following:

1280 1. A minimum period of initial preparation before assuming
1281 duties as the teacher of record.

1282 2. An option for collaboration with ~~between school~~
1283 ~~districts and~~ other supporting agencies or educational entities
1284 for implementation.

1285 3. A teacher mentorship and induction ~~An experienced peer-~~
1286 ~~mentor~~ component.

1287 a. Each individual selected by the district as a ~~peer~~
1288 mentor:

1289 I. Must hold a valid professional certificate issued
1290 pursuant to this section;;

1291 II. Must have earned at least 3 years of teaching
1292 experience in prekindergarten through grade 12;; and

1293 III. Must have completed specialized training in clinical
1294 supervision and participate in ongoing mentor training provided
1295 through the coordinated system of professional development under
1296 s. 1012.98(3)(e);

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1297 IV. Must have earned an effective or highly effective
1298 rating on the prior year's performance evaluation under s.
1299 1012.34; and

1300 V. May ~~or~~ be a peer evaluator under the district's
1301 evaluation system approved under s. 1012.34.

1302 b. The teacher mentorship and induction component must, at
1303 a minimum, provide weekly opportunities for mentoring and
1304 induction activities, including common planning time, ongoing
1305 professional development targeted to a teacher's needs,
1306 opportunities for a teacher to observe other teachers, co-
1307 teaching experiences, and reflection and followup discussions.
1308 Mentorship and induction activities must be provided for an
1309 applicant's first year in the program and may be provided until
1310 the applicant attains his or her professional certificate in
1311 accordance with this section. A principal who is rated highly
1312 effective as determined by his or her performance evaluation
1313 under s. 1012.34 must be provided flexibility in selecting
1314 professional development activities under this paragraph;
1315 however, the activities must be approved by the department as
1316 part of the district's, charter school's, or charter management
1317 organization's program.

1318 4. An assessment of teaching performance aligned to the
1319 district's system for personnel evaluation under s. 1012.34
1320 which provides for:

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1321 a. An initial evaluation of each educator's competencies
1322 to determine an appropriate individualized professional
1323 development plan.

1324 b. A summative evaluation to assure successful completion
1325 of the program.

1326 5. Professional education preparation content knowledge,
1327 which must be included in the mentoring and induction activities
1328 under subparagraph 3., that includes, but is not limited to, the
1329 following:

1330 a. The state standards provided under s. 1003.41,
1331 including scientifically based reading instruction, content
1332 literacy, and mathematical practices, for each subject
1333 identified on the temporary certificate.

1334 b. The educator-accomplished practices approved by the
1335 state board.

1336 c. A variety of data indicators for monitoring student
1337 progress.

1338 d. Methodologies for teaching students with disabilities.

1339 e. Methodologies for teaching students of limited English
1340 proficiency appropriate for each subject area identified on the
1341 temporary certificate.

1342 f. Techniques and strategies for operationalizing the role
1343 of the teacher in assuring a safe learning environment for
1344 students.

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1345 6. Required achievement of passing scores on the subject
1346 area and professional education competency examination required
1347 by State Board of Education rule. Mastery of general knowledge
1348 must be demonstrated as described in subsection (3).

1349 (c) No later than December 31, 2017, the department shall
1350 adopt standards for the approval of professional development
1351 certification and education competency programs, including
1352 standards for the teacher mentorship and induction component,
1353 under paragraph (a). Standards for the teacher mentorship and
1354 induction component must include program administration and
1355 evaluation; mentor roles, selection, and training; beginning
1356 teacher assessment and professional development; and teacher
1357 content knowledge and practices aligned to the Florida Educator
1358 Accomplished Practices. Each school district or charter school
1359 with a program under this subsection must submit its program,
1360 including the teacher mentorship and induction component, to the
1361 department for approval no later than June 30, 2018. After
1362 December 31, 2018, a teacher may not satisfy requirements for a
1363 professional certificate through a professional development
1364 certification and education competency program under paragraph
1365 (a) unless the program has been approved by the department
1366 pursuant to this paragraph.

1367 Section 9. Paragraph (b) of subsection (2) of section
1368 1004.04, Florida Statutes, is amended to read:

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1369 1004.04 Public accountability and state approval for
1370 teacher preparation programs.—

1371 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

1372 (b) The rules to establish uniform core curricula for each
1373 state-approved teacher preparation program must include, but are
1374 not limited to, the following:

1375 1. The Florida Educator Accomplished Practices.

1376 2. The state-adopted content standards.

1377 3. Scientifically researched and evidence-based reading
1378 instructional strategies that improve reading performance for
1379 all students, including explicit, systematic, and sequential
1380 approaches to teaching phonemic awareness, phonics, vocabulary,
1381 fluency, and text comprehension and multisensory intervention
1382 strategies instruction.

1383 4. Content literacy and mathematics practices.

1384 5. Strategies appropriate for the instruction of English
1385 language learners.

1386 6. Strategies appropriate for the instruction of students
1387 with disabilities.

1388 7. School safety.

1389 Section 10. Paragraph (a) of subsection (3) of section
1390 1004.85, Florida Statutes, is amended to read:

1391 1004.85 Postsecondary educator preparation institutes.—

1392 (3) Educator preparation institutes approved pursuant to
1393 this section may offer competency-based certification programs

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specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program previously approved by the Department of Education for this purpose or a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(a) Within 90 days after receipt of a request for approval, the Department of Education shall approve a preparation program pursuant to the requirements of this subsection or issue a statement of the deficiencies in the request for approval. The department shall approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:

1.a. Participant instruction and assessment in the Florida Educator Accomplished Practices.

b. The state-adopted student content standards.

c. Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary,

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1419 fluency, and text comprehension and multisensory intervention
1420 strategies instruction.

1421 d. Content literacy and mathematical practices.

1422 e. Strategies appropriate for instruction of English
1423 language learners.

1424 f. Strategies appropriate for instruction of students with
1425 disabilities.

1426 g. School safety.

1427 2. An educational plan for each participant to meet
1428 certification requirements and demonstrate his or her ability to
1429 teach the subject area for which the participant is seeking
1430 certification, which is based on an assessment of his or her
1431 competency in the areas listed in subparagraph 1.

1432 3. Field experiences appropriate to the certification
1433 subject area specified in the educational plan with a diverse
1434 population of students in a variety of settings under the
1435 supervision of qualified educators.

1436 4. A certification ombudsman to facilitate the process and
1437 procedures required for participants who complete the program to
1438 meet any requirements related to the background screening
1439 pursuant to s. 1012.32 and educator professional or temporary
1440 certification pursuant to s. 1012.56.

1441 Section 11. Paragraph (a) of subsection (3) of section
1442 1012.585, Florida Statutes, is amended, and paragraph (f) is
1443 added to that subsection, to read:

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1444 1012.585 Process for renewal of professional
1445 certificates.—

1446 (3) For the renewal of a professional certificate, the
1447 following requirements must be met:

1448 (a) The applicant must earn a minimum of 6 college credits
1449 or 120 inservice points or a combination thereof. For each area
1450 of specialization to be retained on a certificate, the applicant
1451 must earn at least 3 of the required credit hours or equivalent
1452 inservice points in the specialization area. Education in
1453 "clinical educator" training pursuant to s. 1004.04(5)(b);
1454 participation in mentorship and induction activities, including
1455 as a mentor, pursuant to s. 1012.56(8)(a); and credits or points
1456 that provide training in the area of scientifically researched,
1457 knowledge-based reading literacy, including explicit,
1458 systematic, and sequential approaches to reading instruction,
1459 developing phonemic awareness, and implementing multisensory
1460 intervention strategies, and computational skills acquisition,
1461 exceptional student education, normal child development, and the
1462 disorders of development may be applied toward any
1463 specialization area. Credits or points that provide training in
1464 the areas of drug abuse, child abuse and neglect, strategies in
1465 teaching students having limited proficiency in English, or
1466 dropout prevention, or training in areas identified in the
1467 educational goals and performance standards adopted pursuant to
1468 ss. 1000.03(5) and 1008.345 may be applied toward any

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1469 specialization area, except specialization areas identified by
1470 State Board of Education rule that include reading instruction
1471 or intervention for any students in kindergarten through grade
1472 6. Credits or points earned through approved summer institutes
1473 may be applied toward the fulfillment of these requirements.
1474 Inservice points may also be earned by participation in
1475 professional growth components approved by the State Board of
1476 Education and specified pursuant to s. 1012.98 in the district's
1477 approved master plan for inservice educational training;
1478 however, such points may not be used to satisfy the
1479 specialization requirements of this paragraph, including, but
1480 not limited to, serving as a trainer in an approved teacher
1481 training activity, serving on an instructional materials
1482 committee or a state board or commission that deals with
1483 educational issues, or serving on an advisory council created
1484 pursuant to s. 1001.452.

1485 (f) An applicant for renewal of a professional certificate
1486 in any area of certification identified by State Board of
1487 Education rule that includes reading instruction or intervention
1488 for any students in kindergarten through grade 6, with a
1489 beginning validity date of July 1, 2020, or thereafter, must
1490 earn a minimum of 2 college credits or the equivalent inservice
1491 points in the use of explicit, systematic, and sequential
1492 approaches to reading instruction, developing phonemic
1493 awareness, and implementing multisensory intervention

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1494 strategies. Such training must be provided by teacher
1495 preparation programs under s. 1004.04 or s. 1004.85 or approved
1496 school district professional development systems under s.
1497 1012.98. The requirements in this paragraph may not add to the
1498 total hours required by the department for continuing education
1499 or inservice training.

1500 Section 12. Subsection (1) of section 1012.586, Florida
1501 Statutes, is amended to read:

1502 1012.586 Additions or changes to certificates; duplicate
1503 certificates.—A school district may process via a Department of
1504 Education website certificates for the following applications of
1505 public school employees:

1506 (1) Addition of a subject coverage or endorsement to a
1507 valid Florida certificate on the basis of the completion of the
1508 appropriate subject area testing requirements of s.
1509 1012.56(5)(a) or the completion of the requirements of an
1510 approved school district program or the inservice components for
1511 an endorsement.

1512 (a) To reduce duplication, the department may recommend
1513 the consolidation of endorsement areas and requirements to the
1514 State Board of Education.

1515 (b) By July 1, 2018, and at least once every 5 years
1516 thereafter, the department shall conduct a review of existing
1517 subject coverage or endorsement requirements in the elementary,
1518 reading, and exceptional student educational areas. The review

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1519 must include reciprocity requirements for out-of-state
1520 certificates and requirements for demonstrating competency in
1521 the reading instruction professional development topics listed
1522 in s. 1012.98(4)(b)11. At the conclusion of each review, the
1523 department shall recommend to the state board changes to the
1524 subject coverage or endorsement requirements based upon any
1525 identified instruction or intervention strategies proven to
1526 improve student reading performance. This paragraph does not
1527 authorize the state board to establish any new certification
1528 subject coverage.

1529
1530 The employing school district shall charge the employee a fee
1531 not to exceed the amount charged by the Department of Education
1532 for such services. Each district school board shall retain a
1533 portion of the fee as defined in the rules of the State Board of
1534 Education. The portion sent to the department shall be used for
1535 maintenance of the technology system, the web application, and
1536 posting and mailing of the certificate.

1537 Section 13. Paragraph (e) is added to subsection (3) of
1538 section 1012.98, Florida Statutes, and paragraph (b) of
1539 subsection (4) and subsections (10) and (11) of that section are
1540 amended, to read:

1541 1012.98 School Community Professional Development Act.—

1542 (3) The activities designed to implement this section
1543 must:

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1544 (e) Provide training to teacher mentors as part of the
1545 professional development certification and education competency
1546 program under s. 1012.56(8)(a). The training must include
1547 components on teacher development, peer coaching, time
1548 management, and other related topics as determined by the
1549 Department of Education.

1550 (4) The Department of Education, school districts,
1551 schools, Florida College System institutions, and state
1552 universities share the responsibilities described in this
1553 section. These responsibilities include the following:

1554 (b) Each school district shall develop a professional
1555 development system as specified in subsection (3). The system
1556 shall be developed in consultation with teachers, teacher-
1557 educators of Florida College System institutions and state
1558 universities, business and community representatives, and local
1559 education foundations, consortia, and professional
1560 organizations. The professional development system must:

1561 1. Be approved by the department. All substantial
1562 revisions to the system shall be submitted to the department for
1563 review for continued approval.

1564 2. Be based on analyses of student achievement data and
1565 instructional strategies and methods that support rigorous,
1566 relevant, and challenging curricula for all students. Schools
1567 and districts, in developing and refining the professional
1568 development system, shall also review and monitor school

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discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional development certification and education competency program under s. 1012.56(8)(a).

5.4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must

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1594 use the latest available student achievement data and research
1595 to enhance rigor and relevance in the classroom. Each district
1596 inservice plan must be aligned to and support the school-based
1597 inservice plans and school improvement plans pursuant to s.
1598 1001.42(18). Each district inservice plan must provide a
1599 description of the training that middle grades instructional
1600 personnel and school administrators receive on the district's
1601 code of student conduct adopted pursuant to s. 1006.07;
1602 integrated digital instruction and competency-based instruction
1603 and CAPE Digital Tool certificates and CAPE industry
1604 certifications; classroom management; student behavior and
1605 interaction; extended learning opportunities for students; and
1606 instructional leadership. District plans must be approved by the
1607 district school board annually in order to ensure compliance
1608 with subsection (1) and to allow for dissemination of research-
1609 based best practices to other districts. District school boards
1610 must submit verification of their approval to the Commissioner
1611 of Education no later than October 1, annually. Each school
1612 principal may establish and maintain an individual professional
1613 development plan for each instructional employee assigned to the
1614 school as a seamless component to the school improvement plans
1615 developed pursuant to s. 1001.42(18). An individual professional
1616 development plan must be related to specific performance data
1617 for the students to whom the teacher is assigned, define the
1618 inservice objectives and specific measurable improvements

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1619 expected in student performance as a result of the inservice
1620 activity, and include an evaluation component that determines
1621 the effectiveness of the professional development plan.

1622 ~~6.5.~~ Include inservice activities for school
1623 administrative personnel that address updated skills necessary
1624 for instructional leadership and effective school management
1625 pursuant to s. 1012.986.

1626 ~~7.6.~~ Provide for systematic consultation with regional and
1627 state personnel designated to provide technical assistance and
1628 evaluation of local professional development programs.

1629 ~~8.7.~~ Provide for delivery of professional development by
1630 distance learning and other technology-based delivery systems to
1631 reach more educators at lower costs.

1632 ~~9.8.~~ Provide for the continuous evaluation of the quality
1633 and effectiveness of professional development programs in order
1634 to eliminate ineffective programs and strategies and to expand
1635 effective ones. Evaluations must consider the impact of such
1636 activities on the performance of participating educators and
1637 their students' achievement and behavior.

1638 ~~10.9.~~ For middle grades, emphasize:

1639 a. Interdisciplinary planning, collaboration, and
1640 instruction.

1641 b. Alignment of curriculum and instructional materials to
1642 the state academic standards adopted pursuant to s. 1003.41.

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c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 must include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Each district must provide

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all elementary grades instructional personnel access to training
sufficient to meet the requirements of s. 1012.585(3)(f).

(10) For instructional personnel and administrative
personnel who have been evaluated as less than effective, a
district school board shall require participation in specific
professional development programs as provided in subparagraph
(4)(b)5. ~~(4)(b)4.~~ as part of the improvement prescription.

(11) The department shall disseminate to the school
community proven model professional development programs that
have demonstrated success in increasing rigorous and relevant
content, increasing student achievement and engagement, ~~and~~
meeting identified student needs, and providing effective
mentorship activities to new teachers and training to teacher
mentors. The methods of dissemination must include a web-based
statewide performance-support system including a database of
exemplary professional development activities, a listing of
available professional development resources, training programs,
and available technical assistance.

Section 14. Section 683.1455, Florida Statutes, is created
to read:

683.1455 American Founders' Month.—

(1) The month of September of each year is designated as
"American Founders' Month."

(2) The Governor may annually issue a proclamation
designating the month of September as "American Founders' Month"

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1692 and urging all civic, fraternal, and religious organizations and
1693 public and private educational institutions to recognize and
1694 observe this occasion through appropriate programs, meetings,
1695 services, or celebrations in which state, county, and local
1696 governmental officials are invited to participate.

1697 Section 15. Paragraphs (c) through (g) of subsection (5)
1698 of section 1000.03, Florida Statutes, are redesignated as
1699 paragraphs (d) through (h), respectively, and a new paragraph
1700 (c) is added to that subsection to read:

1701 1000.03 Function, mission, and goals of the Florida K-20
1702 education system.—

1703 (5) The priorities of Florida's K-20 education system
1704 include:

1705 (c) Civic literacy.—Students are prepared to become
1706 civically engaged and knowledgeable adults who make positive
1707 contributions to their communities.

1708 Section 16. Section 1001.215, Florida Statutes, is amended
1709 to read:

1710 1001.215 Just Read, Florida! Office.—There is created in
1711 the Department of Education the Just Read, Florida! Office. The
1712 office is ~~shall be~~ fully accountable to the Commissioner of
1713 Education and shall:

1714 (1) Train ~~highly effective~~ reading coaches.

1715 (2) Create multiple designations of effective reading
1716 instruction, with accompanying credentials, to enable ~~which~~

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1717 ~~encourage~~ all teachers to integrate reading instruction into
1718 their content areas.

1719 (3) Work with the Lastinger Center for Learning at the
1720 University of Florida to develop training for ~~train~~ K-12
1721 teachers, reading coaches, and school principals on effective
1722 content-area-specific reading strategies; the integration of
1723 content-rich curriculum from other core subject areas into
1724 reading instruction; and evidence-based reading strategies
1725 identified in subsection (7) to improve student reading
1726 performance. For secondary teachers, emphasis shall be on
1727 technical text. These strategies must be developed for all
1728 content areas in the K-12 curriculum.

1729 (4) Develop and provide access to sequenced, content-rich
1730 curriculum programming, instructional practices, and resources
1731 that help elementary schools use state-adopted instructional
1732 materials to increase students' background knowledge and
1733 literacy skills, including student attainment of the Next
1734 Generation Sunshine State Standards for social studies, science,
1735 and the arts.

1736 (5)(4) Provide parents with information and strategies for
1737 assisting their children in reading, including reading in the
1738 content areas ~~area~~.

1739 (6)(5) Provide technical assistance to school districts in
1740 the development and implementation of district plans for use of

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the research-based reading instruction allocation provided in s. 1011.62(9) and annually review and approve such plans.

~~(7)(6)~~ Review, evaluate, and provide technical assistance to school districts' implementation of the K-12 comprehensive reading plan required in s. 1011.62(9).

~~(8)(7)~~ Work with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional ~~provide information on research-based reading programs and effective reading in the content area strategies.~~ Reading intervention includes evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual instruction, multisensory approaches, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

~~(9)(8)~~ Periodically review the Next Generation Sunshine State Standards for English Language Arts to determine their appropriateness at each grade level ~~reading at all grade levels.~~

~~(10)(9)~~ Periodically review teacher certification requirements and examinations, including alternative certification requirements and examinations ~~exams~~, to ascertain whether the examinations measure the skills needed for evidence-

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1766 based ~~research-based~~ reading instruction and instructional
1767 strategies for teaching reading, including reading in the
1768 content areas.

1769 (11) ~~(10)~~ Work with teacher preparation programs approved
1770 pursuant to ss. ~~s.~~ 1004.04 and 1004.85 to integrate effective,
1771 research-based and evidence-based reading instructional and
1772 intervention strategies, including explicit, systematic, and
1773 sequential and reading strategies, multisensory intervention
1774 strategies, and reading in the content area instructional
1775 strategies into teacher preparation programs.

1776 (12) ~~(11)~~ Administer grants and perform other functions as
1777 necessary to help ~~meet the goal that all~~ students read at their
1778 highest potential ~~grade level~~.

1779 Section 17. Subsection (3) is added to section 1003.44,
1780 Florida Statutes, to read:

1781 1003.44 Patriotic programs; rules.—

1782 (3) All public schools in the state are encouraged to
1783 coordinate, at all grade levels, instruction related to our
1784 nation's founding fathers with "American Founders' Month"
1785 pursuant to s. 683.1455.

1786 Section 18. Subsections (4) through (11) of section
1787 1007.25, Florida Statutes, are renumbered as subsections (5)
1788 through (12), respectively, and a new subsection (4) is added to
1789 that section to read:

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1790 1007.25 General education courses; common prerequisites;
1791 other degree requirements.—

1792 (4) Beginning with students initially entering a Florida
1793 College System institution or state university in the 2018-2019
1794 school year and thereafter, each student must demonstrate
1795 competency in civic literacy. Students must have the option to
1796 demonstrate competency through successful completion of a civic
1797 literacy course or by achieving a passing score on an
1798 assessment. The State Board of Education must adopt in rule and
1799 the Board of Governors must adopt in regulation at least one
1800 existing assessment that measures competencies consistent with
1801 the required course competencies outlined in paragraph (b). The
1802 chair of the State Board of Education and the chair of the Board
1803 of Governors, or their respective designees, shall jointly
1804 appoint a faculty committee to:

1805 (a) Develop a new course in civic literacy or revise an
1806 existing general education core course in American History or
1807 American Government to include civic literacy.

1808 (b) Establish course competencies and identify outcomes
1809 that include, at a minimum, an understanding of the basic
1810 principles of American democracy and how they are applied in our
1811 republican form of government, an understanding of the United
1812 States Constitution, knowledge of the founding documents and how
1813 they have shaped the nature and functions of our institutions of

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1814 self-governance, and an understanding of landmark Supreme Court
1815 cases and their impact on law and society.

1816 Section 19. Paragraph (c) of subsection (1) of section
1817 943.22, Florida Statutes, is amended to read:

1818 943.22 Salary incentive program for full-time officers.—

1819 (1) For the purpose of this section, the term:

1820 (c) "Community college degree or equivalent" means
1821 graduation from an accredited community college or having been
1822 granted a degree pursuant to s. 1007.25(11) ~~s. 1007.25(10)~~ or
1823 successful completion of 60 semester hours or 90 quarter hours
1824 and eligibility to receive an associate degree from an
1825 accredited college, university, or community college.

1826 Section 20. Subsection (7) and paragraph (d) of subsection
1827 (8) of section 1001.64, Florida Statutes, are amended to read:

1828 1001.64 Florida College System institution boards of
1829 trustees; powers and duties.—

1830 (7) Each board of trustees has responsibility for:
1831 ensuring that students have access to general education courses
1832 as identified in rule; requiring no more than 60 semester hours
1833 of degree program coursework, including 36 semester hours of
1834 general education coursework, for an associate in arts degree;
1835 notifying students that earned hours in excess of 60 semester
1836 hours may not be accepted by state universities; notifying
1837 students of unique program prerequisites; and ensuring that
1838 degree program coursework beyond general education coursework is

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consistent with degree program prerequisite requirements adopted pursuant to s. 1007.25(6) ~~s. 1007.25(5)~~.

(8) Each board of trustees has authority for policies related to students, enrollment of students, student records, student activities, financial assistance, and other student services.

(d) Boards of trustees shall identify their general education curricula pursuant to s. 1007.25(7) ~~s. 1007.25(6)~~.

Section 21. Subsection (1), paragraphs (a), (b), (c), and (h) of subsection (6), subsection (7), paragraph (b) of subsection (8), paragraph (n) of subsection (9), paragraph (a) of subsection (10), paragraph (h) of subsection (12), subsection (13), paragraphs (b) and (c) of subsection (17), paragraphs (a) and (c) of subsection (18), subsections (19) and (20), paragraphs (a) and (b) of subsection (21), and subsections (25) and (28) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(1) ~~AUTHORIZATION. Charter schools shall be part of the state's program of public education.~~ All charter schools in Florida are public schools and shall be part of the state's program of public education. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to s. 1002.45(1)(d) to provide full-time online

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instruction to ~~eligible~~ students, pursuant to s. 1002.455, in kindergarten through grade 12. The school district in which the student enrolls in the virtual charter school shall report the student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school district shall not report the student for funding. An existing charter school that is seeking to become a virtual charter school must amend its charter or submit a new application pursuant to subsection (6) to become a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subsections (18) and (19), ~~subparagraphs (20)(a)2., 4., 5., and 7.,~~ paragraph (20)(c), and s. 1003.03. A public school may not use the term charter in its name unless it has been approved under this section.

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity seeking to open a charter school shall prepare and submit an application on the standard ~~a model~~ application form prepared by the Department of Education which:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

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1889 3. Contains goals and objectives for improving student
1890 learning and measuring that improvement. These goals and
1891 objectives must indicate how much academic improvement students
1892 are expected to show each year, how success will be evaluated,
1893 and the specific results to be attained through instruction.

1894 4. Describes the reading curriculum and differentiated
1895 strategies that will be used for students reading at grade level
1896 or higher and a separate curriculum and strategies for students
1897 who are reading below grade level. A sponsor shall deny an
1898 application if the school does not propose a reading curriculum
1899 that is consistent with effective teaching strategies that are
1900 grounded in scientifically based reading research.

1901 5. Contains an annual financial plan for each year
1902 requested by the charter for operation of the school for up to 5
1903 years. This plan must contain anticipated fund balances based on
1904 revenue projections, a spending plan based on projected revenues
1905 and expenses, and a description of controls that will safeguard
1906 finances and projected enrollment trends.

1907 6. Discloses the name of each applicant, governing board
1908 member, and all proposed education services providers; the name
1909 and sponsor of any charter school operated by each applicant,
1910 each governing board member, and each proposed education
1911 services provider that has closed and the reasons for the
1912 closure; and the academic and financial history of such charter

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1913 schools, which the sponsor shall consider in deciding whether to
1914 approve or deny the application.

1915 7. Contains additional information a sponsor may require,
1916 which shall be attached as an addendum to the charter school
1917 application described in this paragraph.

1918 8. For the establishment of a virtual charter school,
1919 documents that the applicant has contracted with a provider of
1920 virtual instruction services pursuant to s. 1002.45(1)(d).

1921 (b) A sponsor shall receive and review all applications
1922 for a charter school using the evaluation instrument developed
1923 by the Department of Education. A sponsor shall receive and
1924 consider charter school applications received on or before
1925 August 1 of each calendar year for charter schools to be opened
1926 at the beginning of the school district's next school year, or
1927 to be opened at a time agreed to by the applicant and the
1928 sponsor. A sponsor may not refuse to receive a charter school
1929 application submitted before August 1 and may receive an
1930 application submitted later than August 1 if it chooses.

1931 Beginning in 2018 and thereafter, a sponsor shall receive and
1932 consider charter school applications received on or before
1933 February 1 of each calendar year for charter schools to be
1934 opened 18 months later at the beginning of the school district's
1935 school year, or to be opened at a time agreed to by the
1936 applicant and the sponsor. A sponsor may not refuse to receive a
1937 charter school application submitted before February 1 and may

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1938 receive an application submitted later than February 1 if it
1939 chooses. ~~In order to facilitate greater collaboration in the~~
1940 ~~application process, an applicant may submit a draft charter~~
1941 ~~school application on or before May 1 with an application fee of~~
1942 ~~\$500. If a draft application is timely submitted, the sponsor~~
1943 ~~shall review and provide feedback as to material deficiencies in~~
1944 ~~the application by July 1. The applicant shall then have until~~
1945 ~~August 1 to resubmit a revised and final application. The~~
1946 ~~sponsor may approve the draft application. Except as provided~~
1947 ~~for a draft application, A sponsor may not charge an applicant~~
1948 ~~for a charter any fee for the processing or consideration of an~~
1949 ~~application, and a sponsor may not base its consideration or~~
1950 ~~approval of a final application upon the promise of future~~
1951 ~~payment of any kind. Before approving or denying any final~~
1952 ~~application, the sponsor shall allow the applicant, upon receipt~~
1953 ~~of written notification, at least 7 calendar days to make~~
1954 ~~technical or nonsubstantive corrections and clarifications,~~
1955 ~~including, but not limited to, corrections of grammatical,~~
1956 ~~typographical, and like errors or missing signatures, if such~~
1957 ~~errors are identified by the sponsor as cause to deny the final~~
1958 ~~application.~~

1959 1. In order to facilitate an accurate budget projection
1960 process, a sponsor shall be held harmless for FTE students who
1961 are not included in the FTE projection due to approval of
1962 charter school applications after the FTE projection deadline.

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1963 In a further effort to facilitate an accurate budget projection,
1964 within 15 calendar days after receipt of a charter school
1965 application, a sponsor shall report to the Department of
1966 Education the name of the applicant entity, the proposed charter
1967 school location, and its projected FTE.

1968 2. In order to ensure fiscal responsibility, an
1969 application for a charter school shall include a full accounting
1970 of expected assets, a projection of expected sources and amounts
1971 of income, including income derived from projected student
1972 enrollments and from community support, and an expense
1973 projection that includes full accounting of the costs of
1974 operation, including start-up costs.

1975 3.a. A sponsor shall by a majority vote approve or deny an
1976 application no later than 90 ~~60~~ calendar days after the
1977 application is received, unless the sponsor and the applicant
1978 mutually agree in writing to temporarily postpone the vote to a
1979 specific date, at which time the sponsor shall by a majority
1980 vote approve or deny the application. If the sponsor fails to
1981 act on the application, an applicant may appeal to the State
1982 Board of Education as provided in paragraph (c). If an
1983 application is denied, the sponsor shall, within 10 calendar
1984 days after such denial, articulate in writing the specific
1985 reasons, based upon good cause, supporting its denial of the
1986 application and shall provide the letter of denial and

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supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9) (a) - (f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively

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significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application in accordance with ~~directly to the State Board of Education and, if an appeal is filed, must provide a copy of the appeal to the sponsor pursuant to~~ paragraph (c).

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of an application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

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2037 5. Upon approval of an application, the initial startup
2038 shall commence with the beginning of the public school calendar
2039 for the district in which the charter is granted. A charter
2040 school may defer the opening of the school's operations for up
2041 to 2 years to provide time for adequate facility planning. The
2042 charter school must provide written notice of such intent to the
2043 sponsor and the parents of enrolled students at least 30
2044 calendar days before the first day of school.

2045 (c)1. An applicant may appeal any denial of that
2046 applicant's application or failure to act on an application to
2047 the State Board of Education no later than 30 calendar days
2048 after receipt of the sponsor's decision or failure to act and
2049 shall notify the sponsor of its appeal. Any response of the
2050 sponsor shall be submitted to the State Board of Education
2051 within 30 calendar days after notification of the appeal. Upon
2052 receipt of notification from the State Board of Education that a
2053 charter school applicant is filing an appeal, the Commissioner
2054 of Education shall convene a meeting of the Charter School
2055 Appeal Commission to study and make recommendations to the State
2056 Board of Education regarding its pending decision about the
2057 appeal. The commission shall forward its recommendation to the
2058 state board at least 7 calendar days before the date on which
2059 the appeal is to be heard. ~~An appeal regarding the denial of an~~
2060 ~~application submitted by a high-performing charter school~~
2061 ~~pursuant to s. 1002.331 shall be conducted by the State Board of~~

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~~Education in accordance with this paragraph, except that the
commission shall not convene to make recommendations regarding
the appeal. However, the Commissioner of Education shall review
the appeal and make a recommendation to the state board.~~

2. The Charter School Appeal Commission ~~or, in the case of
an appeal regarding an application submitted by a high-
performing charter school, the State Board of Education~~ may
reject an appeal submission for failure to comply with
procedural rules governing the appeals process. The rejection
shall describe the submission errors. The appellant shall have
15 calendar days after notice of rejection in which to resubmit
an appeal that meets the requirements set forth in State Board
of Education rule. An appeal submitted subsequent to such
rejection is considered timely if the original appeal was filed
within 30 calendar days after receipt of notice of the specific
reasons for the sponsor's denial of the charter application.

3.a. The State Board of Education shall by majority vote
accept or reject the decision of the sponsor no later than 90
calendar days after an appeal is filed in accordance with State
Board of Education rule. The State Board of Education shall
remand the application to the sponsor with its written decision
that the sponsor approve or deny the application. The sponsor
shall implement the decision of the State Board of Education.
The decision of the State Board of Education is not subject to
the provisions of the Administrative Procedure Act, chapter 120.

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b. If an appeal concerns an application submitted by a high-performing charter school identified pursuant to s. 1002.331 or a high-performing charter school system identified pursuant to s. 1002.332, the State Board of Education shall determine whether the sponsor's denial was in accordance with sub-subparagraph (b)3.b. ~~sponsor has shown, by clear and convincing evidence, that:~~

~~(I) The application does not materially comply with the requirements in paragraph (a);~~

~~(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);~~

~~(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;~~

~~(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or~~

~~(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.~~

~~The State Board of Education shall approve or reject the sponsor's denial of an application no later than 90 calendar days after an appeal is filed in accordance with State Board of~~

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~~Education rule. The State Board of Education shall remand the application to the sponsor with its written decision that the sponsor approve or deny the application. The sponsor shall implement the decision of the State Board of Education. The decision of the State Board of Education is not subject to the Administrative Procedure Act, chapter 120.~~

~~(h) The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement, called a charter. The sponsor may not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility to meet educational goals. The sponsor has 30 days after approval of the application to provide an initial proposed charter contract to the charter school. The applicant and the sponsor have 40 days thereafter to negotiate and notice the charter contract for final approval by the sponsor unless both parties agree to an extension. The proposed charter contract shall be provided to the charter school at least 7 calendar days prior to the date of the meeting at which the charter is scheduled to be voted upon by the sponsor. The Department of Education shall provide mediation services for any dispute regarding this section subsequent to the approval of a charter application and for any dispute relating to the approved charter, except disputes regarding charter school application denials. If the Commissioner of Education determines that the~~

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~~dispute cannot be settled through mediation, the dispute may be
appealed to an administrative law judge appointed by the
Division of Administrative Hearings. The administrative law
judge has final order authority to rule on issues of equitable
treatment of the charter school as a public school, whether
proposed provisions of the charter violate the intended
flexibility granted charter schools by statute, or on any other
matter regarding this section except a charter school
application denial, a charter termination, or a charter
nonrenewal and shall award the prevailing party reasonable
attorney's fees and costs incurred to be paid by the losing
party. The costs of the administrative hearing shall be paid by
the party whom the administrative law judge rules against.~~

(7) CHARTER.—The terms and conditions for the operation of
a charter school shall be set forth by the sponsor and the
applicant in a written contractual agreement, called a charter.
The sponsor and the governing board of the charter school shall
use the standard charter contract pursuant to subsection (21),
which shall incorporate the approved application and any addenda
approved with the application. Any term or condition of a
proposed charter contract that differs from the standard charter
contract adopted by rule of the State Board of Education shall
be presumed a limitation on charter school flexibility. The
sponsor may not impose unreasonable rules or regulations that
violate the intent of giving charter schools greater flexibility

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2162 to meet educational goals ~~The major issues involving the~~
2163 ~~operation of a charter school shall be considered in advance and~~
2164 ~~written into the charter.~~ The charter shall be signed by the
2165 governing board of the charter school and the sponsor, following
2166 a public hearing to ensure community input.

2167 (a) The charter shall address and criteria for approval of
2168 the charter shall be based on:

2169 1. The school's mission, the students to be served, and
2170 the ages and grades to be included.

2171 2. The focus of the curriculum, the instructional methods
2172 to be used, any distinctive instructional techniques to be
2173 employed, and identification and acquisition of appropriate
2174 technologies needed to improve educational and administrative
2175 performance which include a means for promoting safe, ethical,
2176 and appropriate uses of technology which comply with legal and
2177 professional standards.

2178 a. The charter shall ensure that reading is a primary
2179 focus of the curriculum and that resources are provided to
2180 identify and provide specialized instruction for students who
2181 are reading below grade level. The curriculum and instructional
2182 strategies for reading must be consistent with the Next
2183 Generation Sunshine State Standards and grounded in
2184 scientifically based reading research.

2185 b. In order to provide students with access to diverse
2186 instructional delivery models, to facilitate the integration of

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2187 technology within traditional classroom instruction, and to
2188 provide students with the skills they need to compete in the
2189 21st century economy, the Legislature encourages instructional
2190 methods for blended learning courses consisting of both
2191 traditional classroom and online instructional techniques.
2192 Charter schools may implement blended learning courses which
2193 combine traditional classroom instruction and virtual
2194 instruction. Students in a blended learning course must be full-
2195 time students of the charter school pursuant to s.
2196 1011.61(1)(a)1. ~~and receive the online instruction in a~~
2197 ~~classroom setting at the charter school.~~ Instructional personnel
2198 certified pursuant to s. 1012.55 who provide virtual instruction
2199 for blended learning courses may be employees of the charter
2200 school or may be under contract to provide instructional
2201 services to charter school students. At a minimum, such
2202 instructional personnel must hold an active state or school
2203 district adjunct certification under s. 1012.57 for the subject
2204 area of the blended learning course. The funding and performance
2205 accountability requirements for blended learning courses are the
2206 same as those for traditional courses.

2207 3. The current incoming baseline standard of student
2208 academic achievement, the outcomes to be achieved, and the
2209 method of measurement that will be used. The criteria listed in
2210 this subparagraph shall include a detailed description of:

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2211 a. How the baseline student academic achievement levels
2212 and prior rates of academic progress will be established.

2213 b. How these baseline rates will be compared to rates of
2214 academic progress achieved by these same students while
2215 attending the charter school.

2216 c. To the extent possible, how these rates of progress
2217 will be evaluated and compared with rates of progress of other
2218 closely comparable student populations.

2219
2220 The district school board is required to provide academic
2221 student performance data to charter schools for each of their
2222 students coming from the district school system, as well as
2223 rates of academic progress of comparable student populations in
2224 the district school system.

2225 4. The methods used to identify the educational strengths
2226 and needs of students and how well educational goals and
2227 performance standards are met by students attending the charter
2228 school. The methods shall provide a means for the charter school
2229 to ensure accountability to its constituents by analyzing
2230 student performance data and by evaluating the effectiveness and
2231 efficiency of its major educational programs. Students in
2232 charter schools shall, at a minimum, participate in the
2233 statewide assessment program created under s. 1008.22.

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2234 5. In secondary charter schools, a method for determining
2235 that a student has satisfied the requirements for graduation in
2236 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

2237 6. A method for resolving conflicts between the governing
2238 board of the charter school and the sponsor.

2239 7. The admissions procedures and dismissal procedures,
2240 including the school's code of student conduct. Admission or
2241 dismissal must not be based on a student's academic performance.

2242 8. The ways by which the school will achieve a
2243 racial/ethnic balance reflective of the community it serves or
2244 within the racial/ethnic range of other public schools in the
2245 same school district.

2246 9. The financial and administrative management of the
2247 school, including a reasonable demonstration of the professional
2248 experience or competence of those individuals or organizations
2249 applying to operate the charter school or those hired or
2250 retained to perform such professional services and the
2251 description of clearly delineated responsibilities and the
2252 policies and practices needed to effectively manage the charter
2253 school. A description of internal audit procedures and
2254 establishment of controls to ensure that financial resources are
2255 properly managed must be included. Both public sector and
2256 private sector professional experience shall be equally valid in
2257 such a consideration.

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2258 10. The asset and liability projections required in the
2259 application which are incorporated into the charter and shall be
2260 compared with information provided in the annual report of the
2261 charter school.

2262 11. A description of procedures that identify various
2263 risks and provide for a comprehensive approach to reduce the
2264 impact of losses; plans to ensure the safety and security of
2265 students and staff; plans to identify, minimize, and protect
2266 others from violent or disruptive student behavior; and the
2267 manner in which the school will be insured, including whether or
2268 not the school will be required to have liability insurance,
2269 and, if so, the terms and conditions thereof and the amounts of
2270 coverage.

2271 12. The term of the charter which shall provide for
2272 cancellation of the charter if insufficient progress has been
2273 made in attaining the student achievement objectives of the
2274 charter and if it is not likely that such objectives can be
2275 achieved before expiration of the charter. The initial term of a
2276 charter shall be for 4 or 5 years. In order to facilitate access
2277 to long-term financial resources for charter school
2278 construction, charter schools that are operated by a
2279 municipality or other public entity as provided by law are
2280 eligible for up to a 15-year charter, subject to approval by the
2281 district school board. A charter lab school is eligible for a
2282 charter for a term of up to 15 years. In addition, to facilitate

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2283 access to long-term financial resources for charter school
2284 construction, charter schools that are operated by a private,
2285 not-for-profit, s. 501(c)(3) status corporation are eligible for
2286 up to a 15-year charter, subject to approval by the district
2287 school board. Such long-term charters remain subject to annual
2288 review and may be terminated during the term of the charter, but
2289 only according to the provisions set forth in subsection (8).

2290 13. The facilities to be used and their location. The
2291 sponsor may not require a charter school to have a certificate
2292 of occupancy or a temporary certificate of occupancy for such a
2293 facility earlier than 15 calendar days before the first day of
2294 school.

2295 14. The qualifications to be required of the teachers and
2296 the potential strategies used to recruit, hire, train, and
2297 retain qualified staff to achieve best value.

2298 15. The governance structure of the school, including the
2299 status of the charter school as a public or private employer as
2300 required in paragraph (12)(i).

2301 16. A timetable for implementing the charter which
2302 addresses the implementation of each element thereof and the
2303 date by which the charter shall be awarded in order to meet this
2304 timetable.

2305 17. In the case of an existing public school that is being
2306 converted to charter status, alternative arrangements for
2307 current students who choose not to attend the charter school and

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for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade

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2333 levels the following school year. The written notice shall
2334 specify the amount of the enrollment increase and the grade
2335 levels that will be added, as applicable.

2336 (b) The sponsor has 30 days after approval of the
2337 application to provide an initial proposed charter contract to
2338 the charter school. The applicant and the sponsor have 40 days
2339 thereafter to negotiate and notice the charter contract for
2340 final approval by the sponsor unless both parties agree to an
2341 extension. The proposed charter contract shall be provided to
2342 the charter school at least 7 calendar days before the date of
2343 the meeting at which the charter is scheduled to be voted upon
2344 by the sponsor. The Department of Education shall provide
2345 mediation services for any dispute regarding this section
2346 subsequent to the approval of a charter application and for any
2347 dispute relating to the approved charter, except a dispute
2348 regarding a charter school application denial. If the
2349 Commissioner of Education determines that the dispute cannot be
2350 settled through mediation, the dispute may be appealed to an
2351 administrative law judge appointed by the Division of
2352 Administrative Hearings. The administrative law judge has final
2353 order authority to rule on issues of equitable treatment of the
2354 charter school as a public school, whether proposed provisions
2355 of the charter violate the intended flexibility granted charter
2356 schools by statute, or any other matter regarding this section,
2357 except a dispute regarding charter school application denial, a

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2358 charter termination, or a charter nonrenewal. The administrative
2359 law judge shall award the prevailing party reasonable attorney
2360 fees and costs incurred during the mediation process,
2361 administrative proceeding, and any appeals, to be paid by the
2362 party whom the administrative law judge rules against.

2363 (c)-(b) 1. A charter may be renewed provided that a program
2364 review demonstrates that the criteria in paragraph (a) have been
2365 successfully accomplished and that none of the grounds for
2366 nonrenewal established by paragraph (8)(a) has been documented.
2367 In order to facilitate long-term financing for charter school
2368 construction, charter schools operating for a minimum of 3 years
2369 and demonstrating exemplary academic programming and fiscal
2370 management are eligible for a 15-year charter renewal. Such
2371 long-term charter is subject to annual review and may be
2372 terminated during the term of the charter.

2373 2. The 15-year charter renewal that may be granted
2374 pursuant to subparagraph 1. shall be granted to a charter school
2375 that has received a school grade of "A" or "B" pursuant to s.
2376 1008.34 in 3 of the past 4 years and is not in a state of
2377 financial emergency or deficit position as defined by this
2378 section. Such long-term charter is subject to annual review and
2379 may be terminated during the term of the charter pursuant to
2380 subsection (8).

2381 (d)-(e) A charter may be modified during its initial term
2382 or any renewal term upon the recommendation of the sponsor or

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the charter school's governing board and the approval of both parties to the agreement. Modification may include, but is not limited to, consolidation of multiple charters into a single charter if the charters are operated under the same governing board and physically located on the same campus, regardless of the renewal cycle.

(e)~~(d)~~ A charter may be terminated by a charter school's governing board through voluntary closure. The decision to cease operations must be determined at a public meeting. The governing board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(b) At least 90 days before ~~prior to~~ renewing, nonrenewing, or terminating a charter, the sponsor shall notify the governing board of the school of the proposed action in writing. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the school's governing board may, within 14 calendar days after receiving the

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notice, request a hearing. The hearing shall be conducted at the sponsor's election in accordance with one of the following procedures:

1. A direct hearing conducted by the sponsor within 60 days after receipt of the request for a hearing. The hearing shall be conducted in accordance with ss. 120.569 and 120.57. The sponsor shall decide upon nonrenewal or termination by a majority vote. The sponsor's decision shall be a final order; or

2. A hearing conducted by an administrative law judge assigned by the Division of Administrative Hearings. The hearing shall be conducted within 60 days after receipt of the request for a hearing and in accordance with chapter 120. The administrative law judge's recommended order shall be submitted to the sponsor. A majority vote by the sponsor shall be required to adopt or modify the administrative law judge's recommended order. The sponsor shall issue a final order.

(9) CHARTER SCHOOL REQUIREMENTS.—

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34 shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student performance. Upon approval by the sponsor, the charter school shall begin

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2433 implementation of the school improvement plan. The department
2434 shall offer technical assistance and training to the charter
2435 school and its governing board and establish guidelines for
2436 developing, submitting, and approving such plans.

2437 2.a. If a charter school earns three consecutive grades
2438 ~~below a "C" of "D," two consecutive grades of "D" followed by a~~
2439 ~~grade of "F," or two nonconsecutive grades of "F" within a 3-~~
2440 ~~year period,~~ the charter school governing board shall choose one
2441 of the following corrective actions:

2442 (I) Contract for educational services to be provided
2443 directly to students, instructional personnel, and school
2444 administrators, as prescribed in state board rule;

2445 (II) Contract with an outside entity that has a
2446 demonstrated record of effectiveness to operate the school;

2447 (III) Reorganize the school under a new director or
2448 principal who is authorized to hire new staff; or

2449 (IV) Voluntarily close the charter school.

2450 b. The charter school must implement the corrective action
2451 in the school year following receipt of a third consecutive
2452 ~~grade below a "C" of "D," a grade of "F" following two~~
2453 ~~consecutive grades of "D," or a second nonconsecutive grade of~~
2454 ~~"F" within a 3-year period.~~

2455 c. The sponsor may annually waive a corrective action if
2456 it determines that the charter school is likely to improve a
2457 letter grade if additional time is provided to implement the

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2458 intervention and support strategies prescribed by the school
2459 improvement plan. Notwithstanding this sub-subparagraph, a
2460 charter school that earns a second consecutive grade of "F" is
2461 subject to subparagraph 3. 4.

2462 d. A charter school is no longer required to implement a
2463 corrective action if it improves to a "C" or higher ~~by at least~~
2464 ~~one letter grade~~. However, the charter school must continue to
2465 implement strategies identified in the school improvement plan.
2466 The sponsor must annually review implementation of the school
2467 improvement plan to monitor the school's continued improvement
2468 pursuant to subparagraph 4. 5.

2469 e. A charter school implementing a corrective action that
2470 does not improve to a "C" or higher ~~by at least one letter grade~~
2471 after 2 full school years of implementing the corrective action
2472 must select a different corrective action. Implementation of the
2473 new corrective action must begin in the school year following
2474 the implementation period of the existing corrective action,
2475 unless the sponsor determines that the charter school is likely
2476 to improve to a "C" or higher ~~a letter grade~~ if additional time
2477 is provided to implement the existing corrective action.
2478 Notwithstanding this sub-subparagraph, a charter school that
2479 earns a second consecutive grade of "F" while implementing a
2480 corrective action is subject to subparagraph 3. 4.

2481 ~~3. A charter school with a grade of "D" or "F" that~~
2482 ~~improves by at least one letter grade must continue to implement~~

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~~the strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.~~

~~3.4.~~ A charter school's charter contract is automatically terminated if the school earns two consecutive grades of "F" after all school grade appeals are final unless:

a. The charter school is established to turn around the performance of a district public school pursuant to s.

1008.33(4)(b)2. ~~1008.33(4)(b)3.~~ Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school subject to s. 1008.33(4) ~~that earned a grade of "F" in the year before the charter school opened~~ and the charter school earns at least a grade of "D" in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 days after the department's official release of school grades. The state board may waive termination if the charter school demonstrates that the Learning Gains of its students on statewide assessments are comparable to or better than the

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Learning Gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

The sponsor shall notify the charter school's governing board, the charter school principal, and the department in writing when a charter contract is terminated under this subparagraph. The letter of termination must meet the requirements of paragraph (8)(c). A charter terminated under this subparagraph must follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

~~4.5.~~ The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

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2531 ~~5.6.~~ Notwithstanding any provision of this paragraph
2532 except sub-subparagraphs 3.a.-c. ~~4.a.-e.~~, the sponsor may
2533 terminate the charter at any time pursuant to subsection (8).

2534 (10) ELIGIBLE STUDENTS.—

2535 (a) A charter school may be exempt from the requirements
2536 of s. 1002.31 if the school is ~~shall be~~ open to any student
2537 covered in an interdistrict agreement and any student ~~or~~
2538 residing in the school district in which the charter school is
2539 located.~~;~~ However, in the case of a charter lab school, the
2540 charter lab school shall be open to any student eligible to
2541 attend the lab school as provided in s. 1002.32 or who resides
2542 in the school district in which the charter lab school is
2543 located. Any eligible student shall be allowed interdistrict
2544 transfer to attend a charter school when based on good cause.
2545 Good cause shall include, but is not limited to, geographic
2546 proximity to a charter school in a neighboring school district.

2547 (12) EMPLOYEES OF CHARTER SCHOOLS.—

2548 (h) For the purposes of tort liability, the charter
2549 school, including its governing body and employees, ~~of a charter~~
2550 ~~school~~ shall be governed by s. 768.28. This paragraph does not
2551 include any for-profit entity contracted by the charter school
2552 or its governing body.

2553 (13) CHARTER SCHOOL COOPERATIVES.—Charter schools may
2554 enter into cooperative agreements to form charter school
2555 cooperative organizations that may provide ~~the following~~

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2556 services to further educational, operational, and administrative
2557 initiatives in which the participating charter schools share
2558 common interests: ~~charter school planning and development,~~
2559 ~~direct instructional services, and contracts with charter school~~
2560 ~~governing boards to provide personnel administrative services,~~
2561 ~~payroll services, human resource management, evaluation and~~
2562 ~~assessment services, teacher preparation, and professional~~
2563 ~~development.~~

2564 (17) FUNDING.—Students enrolled in a charter school,
2565 regardless of the sponsorship, shall be funded as if they are in
2566 a basic program or a special program, the same as students
2567 enrolled in other public schools in the school district. Funding
2568 for a charter lab school shall be as provided in s. 1002.32.

2569 (b) The basis for the agreement for funding students
2570 enrolled in a charter school shall be the sum of the school
2571 district's operating funds from the Florida Education Finance
2572 Program as provided in s. 1011.62 and the General Appropriations
2573 Act, including gross state and local funds, discretionary
2574 lottery funds, and funds from the school district's current
2575 operating discretionary millage levy; divided by total funded
2576 weighted full-time equivalent students in the school district;
2577 multiplied by the weighted full-time equivalent students for the
2578 charter school. Charter schools whose students or programs meet
2579 the eligibility criteria in law are entitled to their
2580 proportionate share of categorical program funds included in the

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total funds available in the Florida Education Finance Program by the Legislature, including transportation, the research-based reading allocation, and the Florida digital classrooms allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education. For charter schools operated by a not-for-profit or municipal entity, any unrestricted current and capital assets identified in the charter school's annual financial audit may be used for other charter schools operated by the not-for-profit or municipal entity within the school district. Unrestricted current assets shall be used in accordance with s. 1011.62 and any unrestricted capital assets shall be used in accordance with s. 1013.62(2).

~~(c) If the district school board is providing programs or services to students funded by federal funds, any eligible students enrolled in charter schools in the school district shall be provided federal funds for the same level of service provided students in the schools operated by the district school board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all~~ charter schools shall receive all federal funding for which the school is otherwise eligible, including Title I funding, not later than 5 months after the charter school first opens and

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within 5 months after any subsequent expansion of enrollment. Unless otherwise mutually agreed to by the charter school and its sponsor, and consistent with state and federal rules and regulations governing the use and disbursement of federal funds, the sponsor shall reimburse the charter school on a monthly basis for all invoices submitted by the charter school for federal funds available to the sponsor for the benefit of the charter school, the charter school's students, and the charter school's students as public school students in the school district. Such federal funds include, but are not limited to, Title I, Title II, and Individuals with Disabilities Education Act (IDEA) funds. To receive timely reimbursement for an invoice, the charter school must submit the invoice to the sponsor at least 30 days before the monthly date of reimbursement set by the sponsor. In order to be reimbursed, any expenditures made by the charter school must comply with all applicable state rules and federal regulations, including, but not limited to, the applicable federal Office of Management and Budget Circulars; the federal Education Department General Administrative Regulations; and program-specific statutes, rules, and regulations. Such funds may not be made available to the charter school until a plan is submitted to the sponsor for approval of the use of the funds in accordance with applicable federal requirements. The sponsor has 30 days to review and approve any plan submitted pursuant to this paragraph.

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(18) FACILITIES.—

(a) A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the State Requirements for Educational Facilities. Conversion charter schools shall utilize facilities that comply with the State Requirements for Educational Facilities provided that the school district and the charter school have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to s. 1013.37. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools that are not charter schools. The agency having

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jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded attorney fees and court costs.

(c) Any facility, or portion thereof, used to house a charter school whose charter has been approved by the sponsor and the governing board, pursuant to subsection (7), shall be exempt from ad valorem taxes pursuant to s. 196.1983. Library, community service, museum, performing arts, theatre, cinema, church, Florida College System institution, college, and university facilities may provide space to charter schools within their facilities under their preexisting zoning and land use designations without obtaining a special exception, rezoning, or a land use change.

(19) CAPITAL OUTLAY FUNDING.—Charter schools are eligible for capital outlay funds pursuant to ss. 1011.71(2) and ~~s.~~ 1013.62. Capital outlay funds authorized in ss. 1011.71(2) and 1013.62 which have been shared with a charter school-in-the-workplace prior to July 1, 2010, are deemed to have met the authorized expenditure requirements for such funds.

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(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the National School ~~federal~~ Lunch Program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the National School ~~federal~~ Lunch Program be paid to the charter school as soon as the charter school begins serving food under the National School ~~federal~~ Lunch Program, and that the charter school is paid at the same time and in the same manner under the National School ~~federal~~ Lunch Program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student

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performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A sponsor may withhold an administrative fee for the provision of such services which shall be a percentage of the available funds defined in paragraph (17)(b) calculated based on weighted full-time equivalent students. If the charter school serves 75 percent or more exceptional education students as defined in s. 1003.01(3), the percentage shall be calculated based on unweighted full-time equivalent students. The administrative fee shall be calculated as follows:

a. Up to 5 percent for:

(I) Enrollment of up to and including 250 students in a charter school as defined in this section.

(II) Enrollment of up to and including 500 students within a charter school system which meets all of the following:

(A) Includes conversion charter schools and nonconversion charter schools.

(B) Has all of its schools located in the same county.

(C) Has a total enrollment exceeding the total enrollment of at least one school district in the state.

(D) Has the same governing board for all of its schools.

(E) Does not contract with a for-profit service provider for management of school operations.

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2730 (III) Enrollment of up to and including 250 students in a
2731 virtual charter school.

2732 b. Up to 2 percent for enrollment of up to and including
2733 250 students in a high-performing charter school as defined in
2734 s. 1002.331.

2735 3. A sponsor may not charge charter schools any additional
2736 fees or surcharges for administrative and educational services
2737 in addition to the maximum percentage of administrative fees
2738 withheld pursuant to this paragraph ~~A total administrative fee~~
2739 ~~for the provision of such services shall be calculated based~~
2740 ~~upon up to 5 percent of the available funds defined in paragraph~~
2741 ~~(17) (b) for all students, except that when 75 percent or more of~~
2742 ~~the students enrolled in the charter school are exceptional~~
2743 ~~students as defined in s. 1003.01(3), the 5 percent of those~~
2744 ~~available funds shall be calculated based on unweighted full-~~
2745 ~~time equivalent students. However, a sponsor may only withhold~~
2746 ~~up to a 5-percent administrative fee for enrollment for up to~~
2747 ~~and including 250 students. For charter schools with a~~
2748 ~~population of 251 or more students, the difference between the~~
2749 ~~total administrative fee calculation and the amount of the~~
2750 ~~administrative fee withheld may only be used for capital outlay~~
2751 ~~purposes specified in s. 1013.62(3).~~

2752 ~~3. For high-performing charter schools, as defined in s.~~
2753 ~~1002.331, a sponsor may withhold a total administrative fee of~~

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~~up to 2 percent for enrollment up to and including 250 students per school.~~

~~4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:~~

~~a. Includes both conversion charter schools and nonconversion charter schools;~~

~~b. Has all schools located in the same county;~~

~~c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;~~

~~d. Has the same governing board; and~~

~~e. Does not contract with a for-profit service provider for management of school operations.~~

~~5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(3).~~

~~6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.~~

~~7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational~~

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2779 ~~services in addition to the maximum 5-percent administrative fee~~
2780 ~~withheld pursuant to this paragraph.~~

2781 ~~8. The sponsor of a virtual charter school may withhold a~~
2782 ~~fee of up to 5 percent. The funds shall be used to cover the~~
2783 ~~cost of services provided under subparagraph 1. and~~
2784 ~~implementation of the school district's digital classrooms plan~~
2785 ~~pursuant to s. 1011.62.~~

2786 (b) If goods and services are made available to the
2787 charter school through the contract with the school district,
2788 they shall be provided to the charter school at a rate no
2789 greater than the district's actual cost unless mutually agreed
2790 upon by the charter school and the sponsor in a contract
2791 negotiated separately from the charter. When mediation has
2792 failed to resolve disputes over contracted services or
2793 contractual matters not included in the charter, an appeal may
2794 be made for a dispute resolution hearing before the Charter
2795 School Appeal Commission. To maximize the use of state funds,
2796 school districts shall allow charter schools to participate in
2797 the sponsor's bulk purchasing program if applicable.

2798 (c) Transportation of charter school students shall be
2799 provided by the charter school consistent with the requirements
2800 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
2801 body of the charter school may provide transportation through an
2802 agreement or contract with the district school board, a private
2803 provider, or parents. The charter school and the sponsor shall

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cooperate in making arrangements that ensure that transportation is not a barrier to equal access for all students residing within a reasonable distance of the charter school as determined in its charter.

(d) Each charter school shall annually complete and submit a survey, provided in a format specified by the Department of Education, to rate the timeliness and quality of services provided by the district in accordance with this section. The department shall compile the results, by district, and include the results in the report required under sub-sub-subparagraph (5) (b) 1.k. (III) .

(21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

(a) The Department of Education shall provide information to the public, directly and through sponsors, on how to form and operate a charter school and how to enroll in a charter school once it is created. This information shall include the standard ~~a model~~ application form, standard charter contract, standard evaluation instrument, and standard charter renewal contract, which shall include the information specified in subsection (7) and shall be developed by consulting and negotiating with both school districts and charter schools before implementation. The charter and charter renewal contracts shall be used by charter school sponsors.

(b)1. The Department of Education shall report to each charter school receiving a school grade pursuant to s. 1008.34

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2829 or a school improvement rating pursuant to s. 1008.341 the
2830 school's student assessment data.

2831 2. The charter school shall report the information in
2832 subparagraph 1. to each parent of a student at the charter
2833 school, the parent of a child on a waiting list for the charter
2834 school, the district in which the charter school is located, and
2835 the governing board of the charter school. This paragraph does
2836 not abrogate the provisions of s. 1002.22, relating to student
2837 records, or the requirements of 20 U.S.C. s. 1232g, the Family
2838 Educational Rights and Privacy Act.

2839 ~~3.a. Pursuant to this paragraph, the Department of~~
2840 ~~Education shall compare the charter school student performance~~
2841 ~~data for each charter school in subparagraph 1. with the student~~
2842 ~~performance data in traditional public schools in the district~~
2843 ~~in which the charter school is located and other charter schools~~
2844 ~~in the state. For alternative charter schools, the department~~
2845 ~~shall compare the student performance data described in this~~
2846 ~~paragraph with all alternative schools in the state. The~~
2847 ~~comparative data shall be provided by the following grade~~
2848 ~~groupings:~~

2849 ~~(I) Grades 3 through 5;~~

2850 ~~(II) Grades 6 through 8; and~~

2851 ~~(III) Grades 9 through 11.~~

2852 ~~b. Each charter school shall provide the information~~
2853 ~~specified in this paragraph on its Internet website and also~~

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~~provide notice to the public at large in a manner provided by the rules of the State Board of Education. The State Board of Education shall adopt rules to administer the notice requirements of this subparagraph pursuant to ss. 120.536(1) and 120.54. The website shall include, through links or actual content, other information related to school performance.~~

(25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER SCHOOL SYSTEMS.—

(a) A charter school system's governing board shall be designated a local educational agency for the purpose of receiving federal funds, the same as though the charter school system were a school district, if the governing board of the charter school system has adopted and filed a resolution with its sponsoring district school board and the Department of Education in which the governing board of the charter school system accepts the full responsibility for all local education agency requirements and the charter school system meets all of the following:

~~(a) Includes both conversion charter schools and nonconversion charter schools;~~

1.(b) Has all schools located in the same county;

2.(c) Has a total enrollment exceeding the total enrollment of at least one school district in the state; and

3.(d) Has the same governing board. ~~and~~

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2878 (b) A charter school system's governing board may be
2879 designated a local educational agency for the purpose of
2880 receiving federal funds for all schools within a school district
2881 that are established pursuant to s. 1008.33 and are under the
2882 jurisdiction of the governing board. The governing board must
2883 adopt and file a resolution with its sponsoring district school
2884 board and the Department of Education and accept full
2885 responsibility for all local educational agency requirements.

2886 ~~(c) Does not contract with a for-profit service provider~~
2887 ~~for management of school operations.~~

2888
2889 Such designation does not apply to other provisions unless
2890 specifically provided in law.

2891 (28) RULEMAKING.—The Department of Education, after
2892 consultation with school districts and charter school directors,
2893 shall recommend that the State Board of Education adopt rules to
2894 implement specific subsections of this section. Such rules shall
2895 require minimum paperwork and shall not limit charter school
2896 flexibility authorized by statute. The State Board of Education
2897 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
2898 implement a standard charter model application form, standard
2899 application form for the replication of charter schools in a
2900 high-performing charter school system, standard evaluation
2901 instrument, and standard charter and charter renewal contracts
2902 in accordance with this section.

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2903 Section 22. Paragraph (b) of subsection (2) of section
2904 1002.3305, Florida Statutes, is amended to read:

2905 1002.3305 College-preparatory Boarding Academy Pilot
2906 Program for at-risk students.—

2907 (2) DEFINITIONS.—As used in this section, the term:

2908 (b) "Eligible student" means a student who is a resident
2909 of the state and entitled to attend school in a participating
2910 school district, is at risk of academic failure, is currently
2911 enrolled in grades 5 through 12, if it is determined by the
2912 operator that a seat is available ~~grade 5 or 6~~, is from a family
2913 whose gross income is at or below 200 percent of the federal
2914 poverty guidelines, is eligible for benefits or services funded
2915 by Temporary Assistance for Needy Families (TANF) or Title IV-E
2916 of the Social Security Act, and meets at least one of the
2917 following additional risk factors:

2918 1. The child is in foster care or has been declared an
2919 adjudicated dependent by a court.

2920 2. The student's head of household is not the student's
2921 custodial parent.

2922 3. The student resides in a household that receives a
2923 housing voucher or has been determined eligible for public
2924 housing assistance.

2925 4. A member of the student's immediate family has been
2926 incarcerated.

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2927 5. The child is covered under the terms of the state's
2928 Child Welfare Waiver Demonstration project with the United
2929 States Department of Health and Human Services.

2930 Section 23. Subsection (3) of section 1002.331, Florida
2931 Statutes, is amended to read:

2932 1002.331 High-performing charter schools.—

2933 (3)(a)1. A high-performing charter school may submit an
2934 application pursuant to s. 1002.33(6) in any school district in
2935 the state to establish and operate a new charter school that
2936 will substantially replicate its educational program. An
2937 application submitted by a high-performing charter school must
2938 state that the application is being submitted pursuant to this
2939 paragraph and must include the verification letter provided by
2940 the Commissioner of Education pursuant to subsection (4).

2941 2. If the sponsor fails to act on the application within
2942 90 ~~60~~ days after receipt, the application is deemed approved and
2943 the procedure in s. 1002.33(7) ~~1002.33(6)(h)~~ applies. ~~If the~~
2944 ~~sponsor denies the application, the high-performing charter~~
2945 ~~school may appeal pursuant to s. 1002.33(6).~~

2946 (b) A high-performing charter school may not establish
2947 more than one charter school within the state under paragraph
2948 (a) in any year. A subsequent application to establish a charter
2949 school under paragraph (a) may not be submitted unless each
2950 charter school established in this manner achieves high-
2951 performing charter school status. However, a high-performing

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2952 charter school may establish more than one charter school within
2953 the state under paragraph (a) in any year if it operates in the
2954 area of a persistently low-performing school and serves students
2955 from that school.

2956 Section 24. Paragraph (b) of subsection (1) and paragraph
2957 (b) of subsection (2) of section 1002.332, Florida Statutes are
2958 amended, and paragraph (c) is added to subsection (2), to read:

2959 1002.332 High-performing charter school system.—

2960 (1) For purposes of this section, the term:

2961 (b) "High-performing charter school system" means an
2962 entity that:

2963 1. Operated at least three high-performing charter schools
2964 in the state during each of the previous 3 school years;

2965 2. Operated a system of charter schools in which at least
2966 50 percent of the charter schools were high-performing charter
2967 schools pursuant to s. 1002.331 and no charter school earned a
2968 school grade of "D" or "F" pursuant to s. 1008.34 in any of the
2969 previous 3 school years regardless of whether the entity
2970 currently operates the charter school, except that:

2971 a. If the entity assumed operation of a public school
2972 pursuant to s. 1008.33(4)(b)2. ~~1008.33(4)(b)3.~~ with a school
2973 grade of "F," that school's grade may not be considered in
2974 determining high-performing charter school system status for a
2975 period of 3 years.

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b. If the entity established a new charter school that served a student population the majority of which resided in a school zone served by a public school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34, that charter school's grade may not be considered in determining high-performing charter school system status if it attained and maintained a school grade that was higher than that of the public school serving that school zone within 3 years after establishment; and

3. Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) for any charter school assumed or established by the entity in the most recent 3 fiscal years for which such audits are available.

(2)

(b) A high-performing charter school system may replicate its high-performing charter schools in any school district in the state. The applicant must submit an application using the standard application form prepared by the Department of Education which:

1. Contains goals and objectives for improving student learning and a process for measuring student improvement. These goals and objectives must indicate how much academic improvement students are expected to demonstrate each year, how success will

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3000 be evaluated, and the specific results to be attained through
3001 instruction.

3002 2. Contains an annual financial plan for each year
3003 requested by the charter for operation of the school for up to 5
3004 years. This plan must contain anticipated fund balances based on
3005 revenue projections, a spending plan based on projected revenue
3006 and expenses, and a description of controls that will safeguard
3007 finances and projected enrollment trends.

3008 3. Discloses the name of each applicant, governing board
3009 member, and all proposed education services providers; the name
3010 and sponsor of any charter school operated by each applicant,
3011 each governing board member, and each proposed education
3012 services provider that has closed and the reasons for the
3013 closure; and the academic and financial history of such charter
3014 schools, which the sponsor shall consider when deciding whether
3015 to approve or deny the application.

3016 (c) An application submitted by a high-performing charter
3017 school system must state that the application is being submitted
3018 pursuant to this section and must include the verification
3019 letter provided by the Commissioner of Education pursuant to
3020 this subsection. If the sponsor fails to act on the application
3021 within 90 days after receipt, the application is deemed approved
3022 and the procedure in s. 1002.33(7) applies pursuant to s.
3023 1002.331(3).

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Section 25. Subsections (1) and (2) of section 1003.498, Florida Statutes, are amended to read:

1003.498 School district virtual course offerings.—

(1) School districts may deliver courses in the traditional school setting by personnel certified pursuant to s. 1012.55 who provide direct instruction through virtual instruction or through blended learning courses consisting of both traditional classroom and online instructional techniques. Students in a blended learning course must be full-time students of the school pursuant to s. 1011.61(1)(a)1. ~~and receive the online instruction in a classroom setting at the school.~~ The funding, performance, and accountability requirements for blended learning courses are the same as those for traditional courses. To facilitate the delivery and coding of blended learning courses, the department shall provide identifiers for existing courses to designate that they are being used for blended learning courses for the purpose of ensuring the efficient reporting of such courses. A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which is completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year.

(2) School districts may offer virtual courses for students enrolled in the school district. These courses must be

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identified in the course code directory. Students ~~who meet the~~
~~eligibility requirements of s. 1002.455~~ may participate in these
virtual course offerings pursuant to s. 1002.455.

(a) Any ~~eligible~~ student who is enrolled in a school
district may register and enroll in an online course offered by
his or her school district.

(b)1. Any ~~eligible~~ student who is enrolled in a school
district may register and enroll in an online course offered by
any other school district in the state. The school district in
which the student completes the course shall report the
student's completion of that course for funding pursuant to s.
1011.61(1)(c)1.b.(VI), and the home school district shall not
report the student for funding for that course.

2. The full-time equivalent student membership calculated
under this subsection is subject to the requirements in s.
1011.61(4). The Department of Education shall establish
procedures to enable interdistrict coordination for the delivery
and funding of this online option.

Section 26. Subsection (5), paragraph (j) of subsection
(6), and paragraph (a) of subsection (8) of section 1007.35,
Florida Statutes, are amended to read:

1007.35 Florida Partnership for Minority and
Underrepresented Student Achievement.—

(5) Each public high school, including, but not limited
to, schools and alternative sites and centers of the Department

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of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or the preliminary ACT Aspire to all enrolled 10th grade students. However, a written notice shall be provided to each parent which must ~~that shall~~ include the opportunity to exempt his or her child from taking the PSAT/NMSQT or the preliminary ACT Aspire.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses or other advanced high school courses.

(b) Funding for the PSAT/NMSQT or the preliminary ACT Aspire for all 10th grade students shall be contingent upon annual funding in the General Appropriations Act.

(c) Public school districts must choose either the PSAT/NMSQT or the preliminary ACT Aspire for districtwide administration.

(6) The partnership shall:

(j) Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding PSAT/NMSQT or the preliminary ACT Aspire administration, including, but not limited to:

1. Test administration dates and times.

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3099 2. That participation in the PSAT/NMSQT or the preliminary
3100 ACT ~~Aspire~~ is open to all 10th grade students.

3101 3. The value of such tests in providing diagnostic
3102 feedback on student skills.

3103 4. The value of student scores in predicting the
3104 probability of success on AP or other advanced course
3105 examinations.

3106 (8)(a) By September 30 of each year, the partnership shall
3107 submit to the department a report that contains an evaluation of
3108 the effectiveness of the delivered services and activities.
3109 Activities and services must be evaluated on their effectiveness
3110 at raising student achievement and increasing the number of AP
3111 or other advanced course examinations in low-performing middle
3112 and high schools. Other indicators that must be addressed in the
3113 evaluation report include the number of middle and high school
3114 teachers trained; the effectiveness of the training; measures of
3115 postsecondary readiness of the students affected by the program;
3116 levels of participation in 10th grade PSAT/NMSQT or the
3117 preliminary ACT ~~Aspire~~ testing; and measures of student, parent,
3118 and teacher awareness of and satisfaction with the services of
3119 the partnership.

3120 Section 27. Paragraph (d) of subsection (3) of section
3121 1008.34, Florida Statutes, is amended to read:

3122 1008.34 School grading system; school report cards;
3123 district grade.—

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(3) DESIGNATION OF SCHOOL GRADES.—

(d) The data performance of students attending alternative schools, ~~and~~ students designated as hospital or homebound, and students who transfer to a private school shall be factored into a school grade as follows:

1. The student performance data for eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53 shall be included in the calculation of the home school's grade. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. As used in this subparagraph, the term "home school" means the school to which the student would be assigned if the student were not assigned to an alternative school. If an alternative school chooses to be graded under this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. A school district that fails to assign statewide, standardized end-of-course assessment scores of each of its students to his or her home school or to the

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alternative school that receives a grade shall forfeit Florida School Recognition Program funds for one fiscal year. School districts must require collaboration between the home school and the alternative school in order to promote student success. This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.

2. Student performance data for students designated as hospital or homebound shall be assigned to their home school for the purposes of school grades. As used in this subparagraph, the term "home school" means the school to which a student would be assigned if the student were not assigned to a hospital or homebound program.

3. A high school must include a student in its graduation rate if the student transfers from the high school to a private school with which the school district has a contractual relationship.

Section 28. Subsection (3) of section 1008.341, Florida Statutes, is amended to read:

1008.341 School improvement rating for alternative schools.—

(3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student Learning Gains based on statewide, standardized assessments, including retakes, administered under s. 1008.22 for all

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3174 eligible students who were assigned to and enrolled in the
3175 school during the October or February FTE count and who have
3176 assessment scores, concordant scores, or comparable scores for
3177 the preceding school year shall be used in determining an
3178 alternative school's school improvement rating. An alternative
3179 school's rating shall be based on the following components:

3180 (a) The percentage of eligible students who make Learning
3181 Gains in English Language Arts as measured by statewide,
3182 standardized assessments under s. 1008.22(3).

3183 (b) The percentage of eligible students who make Learning
3184 Gains in mathematics as measured by statewide, standardized
3185 assessments under s. 1008.22(3).

3186
3187 Student performance results of students who are subject to
3188 district school board policies for expulsion for repeated or
3189 serious offenses, who are in dropout retrieval programs serving
3190 students who have officially been designated as dropouts, or who
3191 are in programs operated or contracted by the Department of
3192 Juvenile Justice may not be included in an alternative school's
3193 school improvement rating.

3194 Section 29. Subsection (2) of section 1011.71, Florida
3195 Statutes, is amended to read:

3196 1011.71 District school tax.—

3197 (2) In addition to the maximum millage levy as provided in
3198 subsection (1), each school board may levy not more than 1.5

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3199 mills against the taxable value for school purposes for ~~district~~
3200 ~~schools, including~~ charter schools pursuant to s. 1013.62(3) and
3201 for district schools at the discretion of the school board, to
3202 fund:

3203 (a) New construction and remodeling projects, as set forth
3204 in s. 1013.64(3)(d) and (6)(b) ~~s. 1013.64(3)(b) and (6)(b)~~ and
3205 included in the district's educational plant survey pursuant to
3206 s. 1013.31, without regard to prioritization, sites and site
3207 improvement or expansion to new sites, existing sites, auxiliary
3208 facilities, athletic facilities, or ancillary facilities.

3209 (b) Maintenance, renovation, and repair of existing school
3210 plants or of leased facilities to correct deficiencies pursuant
3211 to s. 1013.15(2).

3212 (c) The purchase, lease-purchase, or lease of school
3213 buses.

3214 (d) The purchase, lease-purchase, or lease of new and
3215 replacement equipment; computer and device hardware and
3216 operating system software, ~~including electronic hardware and~~
3217 ~~other hardware devices~~ necessary for gaining access to or
3218 enhancing the use of electronic and digital instructional
3219 content and resources ~~or to facilitate the access to and the use~~
3220 ~~of a school district's digital classrooms plan pursuant to s.~~
3221 ~~1011.62, excluding software other than the operating system~~
3222 ~~necessary to operate the hardware or device;~~ and enterprise
3223 resource software applications that are classified as capital

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assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support districtwide administration or state-mandated reporting requirements. Enterprise resource software may be acquired by annual license fees, maintenance fees, or lease agreements.

(e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection. The three-fourths limit is waived for lease-purchase agreements entered into before June 30, 2009, by a district school board pursuant to this paragraph.

(f) Payment of loans approved pursuant to ss. 1011.14 and 1011.15.

(g) Payment of costs directly related to complying with state and federal environmental statutes, rules, and regulations governing school facilities.

(h) Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).

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(i) Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirements of this paragraph.

1. The district's contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet the requirements of s. 1006.25.

2. Each such school bus must be used for the daily transportation of public school students in the manner required by the school district.

3. Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.

4. The proposed expenditure of the funds for this purpose must have been included in the district school board's notice of proposed tax for school capital outlay as provided in s. 200.065(10).

(j) Payment of the cost of the opening day collection for the library media center of a new school.

(k) Payout of sick leave and annual leave accrued as of June 30, 2017, by individuals who are no longer employed by a school district that transfers to a charter school operator all day-to-day classroom instruction responsibility for all full-time equivalent students funded under s. 1011.62. This paragraph expires July 1, 2018.

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Section 30. Subsection (2) of section 1013.54, Florida Statutes, is amended to read:

1013.54 Cooperative development and use of satellite facilities by private industry and district school boards.—

(2) The commissioner shall appoint a review committee to make recommendations and prioritize requests. If the project is approved by the commissioner, the commissioner shall include up to one-fourth of the cost of the project in the legislative capital outlay budget request, as provided in s. 1013.60, for the funding of capital outlay projects involving both educational and private industry. The commissioner shall prioritize any such projects for each fiscal year and, notwithstanding the provisions of s. 1013.64(3)(e) ~~s. 1013.64(3)(e)~~, limit the recommended state funding amount not to exceed 5 percent off the top of the total funds recommended pursuant to s. 1013.64(2) and (3).

Section 31. Section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) Charter school capital outlay funding shall consist of revenue resulting from the discretionary millage authorized in s. 1011.71(2) and state funds when such funds are appropriated in the General Appropriations Act.

~~(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of~~

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~~Education shall allocate the funds among eligible charter schools as specified in this section.~~

(a) To be eligible to receive capital outlay funds ~~for a funding allocation~~, a charter school must:

1.a. Have been in operation for 2 or more years;

b. Be governed by a governing board established in the state for 2 ~~3~~ or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by a regional accrediting association as defined by State Board of Education rule ~~the Commission on Schools of the Southern Association of Colleges and Schools~~; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b).

2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

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3322 4. Have received final approval from its sponsor pursuant
3323 to s. 1002.33 for operation during that fiscal year.

3324 5. Serve students in facilities that are not provided by
3325 the charter school's sponsor.

3326 (b) A charter school is not eligible to receive capital
3327 outlay funds for a funding allocation if it was created by the
3328 conversion of a public school and operates in facilities
3329 provided by the charter school's sponsor for a nominal fee, or
3330 at no charge, or if it is directly or indirectly operated by the
3331 school district.

3332 (2)(e) The department shall use the following calculation
3333 methodology to allocate state funds appropriated in the General
3334 Appropriations Act to eligible charter schools ~~The funding~~
3335 ~~allocation for eligible charter schools shall be calculated as~~
3336 ~~follows:~~

3337 (a)1. Eligible charter schools shall be grouped into
3338 categories based on their student populations according to the
3339 following criteria:

3340 1.a. Seventy-five percent or greater who are eligible for
3341 free or reduced-price school meals under the National School
3342 Lunch Program or, for schools operating programs under the
3343 Community Eligibility Provision of the Healthy, Hunger-Free Kids
3344 Act of 2010, an equivalent percentage of the student population
3345 eligible for free and reduced-price meals as determined by
3346 applying the multiplier authorized under the National School

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3347 Lunch Act, 42 U.S.C. s. 1759a(a)(1)(F)(vii), to the number of
3348 students reported for direct certification lunch.

3349 2.b. Twenty-five percent or greater with disabilities as
3350 defined in state board rule and consistent with the requirements
3351 of the Individuals with Disabilities Education Act.

3352 (b)2. If an eligible charter school does not meet the
3353 criteria for either category under paragraph (a) subparagraph
3354 1., its FTE shall be provided as the base amount of funding and
3355 shall be assigned a weight of 1.0. An eligible charter school
3356 that meets the criteria under subparagraph (a)1. or subparagraph
3357 (a)2. sub-subparagraph 1.a. or sub-subparagraph 1.b. shall be
3358 provided an additional 25 percent above the base funding amount,
3359 and the total FTE shall be multiplied by a weight of 1.25. An
3360 eligible charter school that meets the criteria under both
3361 subparagraphs (a)1. and (a)2. sub-subparagraphs 1.a. and b.
3362 shall be provided an additional 50 percent above the base
3363 funding amount, and the FTE for that school shall be multiplied
3364 by a weight of 1.5.

3365 (c)3. The state appropriation for charter school capital
3366 outlay shall be divided by the total weighted FTE for all
3367 eligible charter schools to determine the base charter school
3368 per weighted FTE allocation amount. The per weighted FTE
3369 allocation amount shall be multiplied by the weighted FTE to
3370 determine each charter school's capital outlay allocation.

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3371 ~~(d)-(2)-(a)~~ The department shall calculate the eligible
3372 charter school funding allocations. Funds shall be allocated
3373 using full-time equivalent membership from the second and third
3374 enrollment surveys and free and reduced-price school lunch data.
3375 The department shall recalculate the allocations periodically
3376 based on the receipt of revised information, on a schedule
3377 established by the Commissioner of Education.

3378 ~~(e)-(b)~~ The department shall distribute capital outlay
3379 funds monthly, beginning in the first quarter of the fiscal
3380 year, based on one-twelfth of the amount the department
3381 reasonably expects the charter school to receive during that
3382 fiscal year. The commissioner shall adjust subsequent
3383 distributions as necessary to reflect each charter school's
3384 recalculated allocation.

3385 (3) If the school board levies the discretionary millage
3386 authorized in s. 1011.71(2), the department shall use the
3387 following calculation methodology to determine the amount of
3388 revenue that a school district must distribute to each eligible
3389 charter school:

3390 (a) Reduce the total discretionary millage revenue by the
3391 school district's annual debt service obligation incurred as of
3392 March 1, 2017, and any amount of participation requirement
3393 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
3394 revenues raised by the discretionary millage.

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(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students of each eligible charter school to determine the capital outlay allocation for each charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated to each eligible charter school in subsection (2) to determine the maximum calculated capital outlay allocation.

(e) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year, beginning on February 1, 2018, for the 2017-2018 fiscal year.

~~(4)-(3)~~ A charter school's governing body may use charter school capital outlay funds for the following purposes:

(a) Purchase of real property.

(b) Construction of school facilities.

(c) Purchase, lease-purchase, or lease of permanent or relocatable school facilities.

(d) Purchase of vehicles to transport students to and from the charter school.

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(e) Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.

~~(f) Effective July 1, 2008, purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.~~

~~(f)(g)~~ Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.

~~(g)(h)~~ Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(h) Purchase, lease-purchase, or lease of computer and device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources; and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated

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3445 reporting requirements. Enterprise resource software may be
3446 acquired by annual license fees, maintenance fees, or lease
3447 agreement.

3448 (i) Payment of the cost of the opening day collection for
3449 the library media center of a new school.

3450
3451 Conversion charter schools may use capital outlay funds received
3452 through the reduction in the administrative fee provided in s.
3453 1002.33(20) for renovation, repair, and maintenance of school
3454 facilities that are owned by the sponsor.

3455 (5)~~(4)~~ If a charter school is nonrenewed or terminated,
3456 any unencumbered funds and all equipment and property purchased
3457 with district public funds shall revert to the ownership of the
3458 district school board, as provided for in s. 1002.33(8)(e) and
3459 (f). In the case of a charter lab school, any unencumbered funds
3460 and all equipment and property purchased with university public
3461 funds shall revert to the ownership of the state university that
3462 issued the charter. The reversion of such equipment, property,
3463 and furnishings shall focus on recoverable assets, but not on
3464 intangible or irrecoverable costs such as rental or leasing
3465 fees, normal maintenance, and limited renovations. The reversion
3466 of all property secured with public funds is subject to the
3467 complete satisfaction of all lawful liens or encumbrances. If
3468 there are additional local issues such as the shared use of
3469 facilities or partial ownership of facilities or property, these

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issues shall be agreed to in the charter contract prior to the expenditure of funds.

~~(6)-(5)~~ The Commissioner of Education shall specify procedures for submitting and approving requests for funding under this section and procedures for documenting expenditures.

~~(7)-(6)~~ The annual legislative budget request of the Department of Education shall include a request for capital outlay funding for charter schools. The request shall be based on the projected number of students to be served in charter schools who meet the eligibility requirements of this section.

Section 32. Effective upon this act becoming a law, paragraphs (a), (b), and (c) of subsection (3) and paragraphs (b) and (c) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(3)(a) Each district school board shall receive an amount from the Public Education Capital Outlay and Debt Service Trust Fund to be calculated by computing the capital outlay membership as determined by the department. Such membership must include, but is not limited to, prekindergarten through grade 12÷

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3494 1. ~~K-12~~ students whose instruction is funded by the
3495 Florida Education Finance Program and prekindergarten
3496 ~~exceptional students~~ for whom the school district provides the
3497 educational facility, ~~except hospital- and homebound part-time~~
3498 ~~students; and~~

3499 2. ~~Students who are career education students, and adult~~
3500 ~~disabled students and who are enrolled in school district career~~
3501 ~~centers.~~

3502 (b) The capital outlay full-time equivalent membership
3503 shall be determined ~~for prekindergarten exceptional education~~
3504 ~~students, kindergarten through the 12th grade, and for career~~
3505 ~~centers~~ by counting the reported unweighted full-time equivalent
3506 student membership for the second and third surveys with each
3507 survey limited to 0.5 full-time equivalent student membership
3508 per student and comparing the results on a school-by-school
3509 basis with the Florida Inventory of School Houses. ~~If the prior~~
3510 ~~academic year's third survey count is higher than the current~~
3511 ~~year's second survey count when comparing the results on a~~
3512 ~~school-by-school basis with the Florida Inventory of School~~
3513 ~~Houses, the prior year's third survey count shall be used on a~~
3514 ~~school-by-school basis for determining the current capital~~
3515 ~~outlay membership. The Florida Inventory of School Houses shall~~
3516 ~~be updated with the current capital outlay membership count as~~
3517 ~~soon as practicable after verification of the capital outlay~~
3518 ~~membership.~~

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(c) The capital outlay full-time equivalent membership by grade level organization shall be used in making calculations. The capital outlay membership by grade level organization for the 4th prior year must be used to compute the base-year allocation. The capital outlay full-time equivalent membership by grade-level organization for the prior year must be used to compute the growth over the highest of the 3 years preceding the prior year. From the total amount appropriated by the Legislature pursuant to this subsection, 40 percent shall be allocated among the base capital outlay full-time equivalent membership and 60 percent among the growth capital outlay full-time equivalent membership. The allocation within each of these groups shall be prorated to the districts based upon each district's percentage of base and growth capital outlay full-time equivalent membership. The most recent 4-year capital outlay full-time equivalent membership data shall be used in each subsequent year's calculation for the allocation of funds pursuant to this subsection. If a change, correction, or recomputation of data during any year results in a reduction or increase of the calculated amount previously allocated to a district, the allocation to that district shall be adjusted accordingly. If such recomputation results in an increase or decrease of the calculated amount, such additional or reduced amounts shall be added to or reduced from the district's future appropriations. However, no change, correction, or recomputation

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of data shall be made subsequent to 2 years following the initial annual allocation.

(6)

(b)1. A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

- a. \$17,952 for an elementary school,
- b. \$19,386 for a middle school, or
- c. \$25,181 for a high school,

(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the

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documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district. The department shall make the final determination on district compliance based on the recommendation of the Auditor General.

3. The Office of Economic and Demographic Research, in consultation with the department, shall conduct a study of the cost per student station amounts using the most recent available information on construction costs. In this study, the costs per student station should represent the costs of classroom construction and administrative offices as well as the supplemental costs of core facilities, including required media centers, gymnasiums, music rooms, cafeterias and their associated kitchens and food service areas, vocational areas, and other defined specialty areas, including exceptional student education areas. The study must take into account appropriate cost-effectiveness factors in school construction and should include input from industry experts. The Office of Economic and Demographic Research must provide the results of the study and recommendations on the cost per student station to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

4. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study of the State Requirements for Education Facilities (SREF) to identify current

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requirements that can be eliminated or modified in order to decrease the cost of construction of educational facilities while ensuring student safety. OPPAGA must provide the results of the study, and an overall recommendation as to whether SREF should be retained, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

5. Effective July 1, 2017, in addition to the funding sources listed in subparagraph 1., a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station, including change orders, which equals more than the current adjusted amounts provided in sub-subparagraphs 1.a.-c. which shall subsequently be adjusted annually to reflect increases or decreases in the Consumer Price Index. However, if a contract has been executed for architectural and design services or for construction management services before July 1, 2017, a district school board may use funds from any source for the new construction of educational plant space and such funds are exempt from the total cost per student station requirements.

6. A district school board must not use funds from the Public Education Capital Outlay and Debt Service Trust Fund or the School District and Community College District Capital Outlay and Debt Service Trust Fund for any new construction of

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an ancillary plant that exceeds 70 percent of the average cost per square foot of new construction for all schools.

(c) Except as otherwise provided, new construction for which a contract has been executed for architectural and design services or for construction management services ~~initiated~~ by a district school board on or after July 1, 2017, may not exceed the cost per student station as provided in paragraph (b). A school district that exceeds the cost per student station provided in paragraph (b), as determined by the Auditor General, shall be subject to sanctions. If the Auditor General determines that the cost per student station overage is de minimus or due to extraordinary circumstances outside the control of the district, the sanctions shall not apply. The sanctions are as follows:

1. The school district shall be ineligible for allocations from the Public Education Capital Outlay and Debt Service Trust Fund for the next 3 years in which the school district would have received allocations had the violation not occurred.

2. The school district shall be subject to the supervision of a district capital outlay oversight committee. The oversight committee is authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for 3 fiscal years following the violation.

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3642 a. Each oversight committee shall be composed of the
3643 following:

3644 (I) One appointee of the Commissioner of Education who has
3645 significant financial management, school facilities
3646 construction, or related experience.

3647 (II) One appointee of the office of the state attorney
3648 with jurisdiction over the district.

3649 (III) One appointee of the Chief Financial Officer who is
3650 a licensed certified public accountant.

3651 b. An appointee to the oversight committee may not be
3652 employed by the school district; be a relative, as defined in s.
3653 1002.33(24)(a)2., of any school district employee; or be an
3654 elected official. Each appointee must sign an affidavit
3655 attesting to these conditions and affirming that no conflict of
3656 interest exists in his or her oversight role.

3657 Section 33. Paragraphs (b) and (f) of subsection (3) and
3658 subsection (4) of section 1003.4282, Florida Statutes, are
3659 amended to read:

3660 1003.4282 Requirements for a standard high school
3661 diploma.—

3662 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
3663 REQUIREMENTS.—

3664 (b) *Four credits in mathematics.*—A student must earn one
3665 credit in Algebra I and one credit in Geometry. A student's
3666 performance on the statewide, standardized Algebra I end-of-

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course (EOC) assessment constitutes 30 percent of the student's final course grade. A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma. A student's performance on the statewide, standardized Geometry EOC assessment constitutes 30 percent of the student's final course grade. ~~If the state administers a statewide, standardized Algebra II assessment, a student selecting Algebra II must take the assessment, and the student's performance on the assessment constitutes 30 percent of the student's final course grade.~~ A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.

(f) *One credit in physical education.*—Physical education must include the integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education ~~if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness developed by the Department of Education must be used.~~ A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C"

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or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan.

(4) ONLINE COURSE REQUIREMENT.—At least one course within the 24 credits required under this section must be completed through online learning.

(a) An online course taken in grade 6, grade 7, or grade 8 fulfills the requirements of this subsection. The requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets the requirement.

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(b) A district school board or a charter school governing board, as applicable, may allow a student ~~offer students the following options~~ to satisfy the online course requirements of this subsection by completing a blended learning course or:

1. ~~Completion of a course in which the a student earns a nationally recognized industry certification in information technology that is identified on the CAPE Industry Certification Funding List pursuant to s. 1008.44 or passing passage of the information technology certification examination without enrolling enrollment in or completing completion of the corresponding course or courses, as applicable.~~

2. ~~Passage of an online content assessment, without enrollment in or completion of the corresponding course or courses, as applicable, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.~~

For purposes of this subsection, a school district may not require a student to take the online or blended learning course outside the school day or in addition to a student's courses for a given semester. This subsection does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online or blended learning course would be inappropriate or to an out-of-state transfer student who is

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enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 34. Paragraph (a) of subsection (1) of section 1003.4285, Florida Statutes, is amended to read:

1003.4285 Standard high school diploma designations.—

(1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:

(a) *Scholar designation*.—In addition to the requirements of s. 1003.4282, in order to earn the Scholar designation, a student must satisfy the following requirements:

1. Mathematics.—Earn one credit in Algebra II and one credit in statistics or an equally rigorous course. Beginning with students entering grade 9 in the 2014-2015 school year, pass the ~~Algebra II and Geometry~~ statewide, standardized assessment ~~assessments~~.

2. Science.—Pass the statewide, standardized Biology I EOC assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics. However, a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) Biology course who takes the respective AP, IB, or AICE Biology assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this

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subparagraph without having to take the statewide, standardized Biology I EOC assessment.

3. Social studies.—Pass the statewide, standardized United States History EOC assessment. However, a student enrolled in an AP, IB, or AICE course that includes United States History topics who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized United States History EOC assessment.

4. Foreign language.—Earn two credits in the same foreign language.

5. Electives.—Earn at least one credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

Section 35. Paragraphs (c) through (f) and paragraph (g) of subsection (7) of section 1008.22, Florida Statutes, are redesignated as paragraphs (d) through (g) and paragraph (i), respectively, subsections (8) through (12) are renumbered as subsections (9) through (13), respectively, paragraphs (a), (b), and (d) of subsection (3), paragraphs (a) and (b) and present paragraph (f) of subsection (7), and paragraph (e) of present subsection (11) are amended, new paragraphs (c) and (i) are

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added to subsection (7), and a new subsection (8) is added to that section, to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) *Statewide, standardized comprehensive assessments.*—The statewide, standardized Reading assessment shall be administered annually in grades 3 through 10. The statewide, standardized

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Writing assessment shall be administered annually at least once at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language Arts (ELA) assessments, ELA assessments shall be administered to students in grades 3 through 10. Retake opportunities for the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must be provided. Students taking the ELA assessments shall not take the statewide, standardized assessments in Reading or Writing. ELA assessments shall be administered online. The statewide, standardized Mathematics assessments shall be administered annually in grades 3 through 8. Students taking a revised Mathematics assessment shall not take the discontinued assessment. The statewide, standardized Science assessment shall be administered annually at least once at the elementary and middle grades levels. In order to earn a standard high school diploma, a student who has not earned a passing score on the grade 10 Reading assessment or, upon implementation, the grade 10 ELA assessment must earn a passing score on the assessment retake or earn a concordant score as authorized under subsection (9) ~~(8)~~.

(b) *End-of-course (EOC) assessments.*—EOC assessments must be statewide, standardized, and developed or approved by the Department of Education as follows:

1. EOC assessments for Algebra I, Geometry, ~~Algebra II~~, Biology I, United States History, and Civics shall be

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administered to students enrolled in such courses as specified in the course code directory.

2. Students enrolled in a course, as specified in the course code directory, with an associated statewide, standardized EOC assessment must take the EOC assessment for such course and may not take the corresponding subject or grade-level statewide, standardized assessment pursuant to paragraph (a). Sections 1003.4156 and 1003.4282 govern the use of statewide, standardized EOC assessment results for students.

3. The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the CAPE Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. Use of any such examination as an EOC assessment must be approved by the state board in rule.

4. Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds

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received through federal grants, the commissioner may establish an implementation schedule for the development and administration of additional statewide, standardized EOC assessments that must be approved by the state board in rule. If approved by the state board, student performance on such assessments constitutes 30 percent of a student's final course grade.

5. All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (c).

(d) *Implementation schedule.*—

1. The Commissioner of Education shall establish and publish on the department's website an implementation schedule to transition from the statewide, standardized Reading and Writing assessments to the ELA assessments and to the revised Mathematics assessments, including the Algebra I and Geometry EOC assessments. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the assessments online. All such assessments must be delivered through computer-based testing, however, the following assessments must be delivered in a computer-based format, as follows: ~~the grade 3 ELA assessment, beginning in the 2017-2018 school year;~~ the grade 3 Mathematics assessment beginning in the 2016-2017 school year; the grade 4

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3890 ELA assessment, beginning in the 2015-2016 school year; and the
3891 grade 4 Mathematics assessment, beginning in the 2016-2017
3892 school year. Notwithstanding the requirements of this
3893 subparagraph, statewide, standardized ELA and mathematics
3894 assessments in grades 3 through 6 must be delivered only in a
3895 paper-based format, beginning with the 2017-2018 school year,
3896 and all such assessments must be paper-based no later than the
3897 2018-2019 school year.

3898 2. The Department of Education shall publish minimum and
3899 recommended technology requirements that include specifications
3900 for hardware, software, networking, security, and broadband
3901 capacity to facilitate school district compliance with the
3902 requirements of this section ~~requirement that assessments be~~
3903 ~~administered online.~~

3904 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

3905 (a) The Commissioner of Education shall establish
3906 schedules for the administration of statewide, standardized
3907 assessments and the reporting of student assessment results. The
3908 commissioner shall consider the observance of religious and
3909 school holidays when developing the schedules. The assessment
3910 and reporting schedules must provide the earliest possible
3911 reporting of student assessment results to the school districts,
3912 consistent with the requirements of paragraph (3)(g). Assessment
3913 results for the statewide, standardized ELA and mathematics
3914 assessments and all statewide, standardized EOC assessments must

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3915 be made available no later than ~~the week of June 30 &~~, except
3916 for results for the grade 3 statewide, standardized ELA
3917 assessment, which must be made available no later than May 31 of
3918 ~~assessments administered in the 2014-2015 school year~~. School
3919 districts shall administer statewide, standardized assessments
3920 in accordance with the schedule established by the commissioner.

3921 (b) By January ~~August~~ of each year, beginning in 2018
3922 ~~2016~~, the commissioner shall publish on the department's website
3923 a uniform calendar that includes the assessment and reporting
3924 schedules for, at a minimum, the next 2 school years. The
3925 uniform calendar must be provided to school districts in an
3926 electronic format that allows each school district and public
3927 school to populate the calendar with, at minimum, the following
3928 information for reporting the district assessment schedules
3929 under paragraph (d) ~~(e)~~:

3930 1. Whether the assessment is a district-required
3931 assessment or a state-required assessment.

3932 2. The specific date or dates that each assessment will be
3933 administered.

3934 3. The time allotted to administer each assessment.

3935 4. Whether the assessment is a computer-based assessment
3936 or a paper-based assessment.

3937 5. The grade level or subject area associated with the
3938 assessment.

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3939 6. The date that the assessment results are expected to be
3940 available to teachers and parents.

3941 7. The type of assessment, the purpose of the assessment,
3942 and the use of the assessment results.

3943 8. A glossary of assessment terminology.

3944 9. Estimates of average time for administering state-
3945 required and district-required assessments, by grade level.

3946 (c) Beginning with the 2018-2019 school year, the spring
3947 administration of the statewide, standardized assessments in
3948 paragraphs (3)(a) and (b), excluding assessment retakes, must be
3949 in accordance with the following schedule:

3950 1. The grade 3 statewide, standardized ELA assessment and
3951 the writing portion of the statewide, standardized ELA
3952 assessment for grades 4 through 10 must be administered no
3953 earlier than April 1 each year within an assessment window not
3954 to exceed 2 weeks.

3955 2. With the exception of assessments identified in
3956 subparagraph 1., any statewide, standardized assessment that is
3957 delivered in a paper-based format must be administered no
3958 earlier than May 1 each year within an assessment window not to
3959 exceed 2 weeks.

3960 3. With the exception of assessments identified in
3961 subparagraphs 1. and 2., any statewide, standardized assessment
3962 must be administered within a 4-week assessment window that
3963 opens no earlier than May 1 each year.

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3964
3965 Each school district shall administer the assessments identified
3966 under subparagraphs 2. and 3. no earlier than 4 weeks before the
3967 last day of school for the district.

3968 (g) ~~(f)~~ A school district must provide a student's
3969 performance results on district-required local assessments to
3970 the student's teachers within 1 week and to the student's
3971 parents no later than 30 days after administering such
3972 assessments, unless the superintendent determines in writing
3973 that extenuating circumstances exist and reports the extenuating
3974 circumstances to the district school board.

3975 (h) The results of statewide, standardized ELA and
3976 mathematics assessments, including assessment retakes, shall be
3977 reported in an easy-to-read and understandable format and
3978 delivered in time to provide useful, actionable information to
3979 students, parents, and each student's current teacher of record
3980 and teacher of record for the subsequent school year; however,
3981 in any case, the district shall provide the results pursuant to
3982 this paragraph within 1 week after receiving the results from
3983 the department. A report of student assessment results must, at
3984 a minimum, contain:

3985 1. A clear explanation of the student's performance on the
3986 applicable statewide, standardized assessments.

3987 2. Information identifying the student's areas of strength
3988 and areas in need of improvement.

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3989 3. Specific actions that may be taken, and the available
3990 resources that may be used, by the student's parent to assist
3991 his or her child based on the student's areas of strength and
3992 areas in need of improvement.

3993 4. Longitudinal information, if available, on the
3994 student's progress in each subject area based on previous
3995 statewide, standardized assessment data.

3996 5. Comparative information showing the student's score
3997 compared to other students in the school district, in the state,
3998 or, if available, in other states.

3999 6. Predictive information, if available, showing the
4000 linkage between the scores attained by the student on the
4001 statewide, standardized assessments and the scores he or she may
4002 potentially attain on nationally recognized college entrance
4003 examinations.

4004 (8) PUBLICATION OF ASSESSMENTS.— To promote transparency
4005 in the statewide assessment program, in any procurement for the
4006 ELA assessment in grades 3 through 10 and the mathematics
4007 assessment in grades 3 through 8, the Department of Education
4008 shall solicit cost proposals for publication of the state
4009 assessments on its website in accordance with this subsection.

4010 (a) The department shall publish each assessment
4011 administered under paragraph (3)(a) and subparagraph (3)(b)1.,
4012 excluding assessment retakes, at least once on a triennial basis
4013 pursuant to a schedule determined by the Commissioner of

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4014 Education. Each assessment, when published, must have been
4015 administered during the most recent school year.

4016 (b) The initial publication of assessments must occur no
4017 later than June 30, 2021, subject to appropriation, and must
4018 include, at a minimum, the grade 3 ELA and mathematics
4019 assessments, the grade 10 ELA assessment, and the Algebra I EOC
4020 assessment.

4021 (c) The department must provide materials on its website
4022 to help the public interpret assessment information published
4023 pursuant to this subsection.

4024 (12) ~~(11)~~ REPORTS.—The Department of Education shall
4025 annually provide a report to the Governor, the President of the
4026 Senate, and the Speaker of the House of Representatives which
4027 shall include the following:

4028 (e) The number of students who after 8th grade enroll in
4029 adult education rather than other secondary education, which is
4030 defined as grades 9 through 12.

4031 Section 36. Paragraph (c) of subsection (1), paragraph (a)
4032 of subsection (3), and subsections (7), (8), and (9) of section
4033 1012.34, Florida Statutes, are amended to read:

4034 1012.34 Personnel evaluation procedures and criteria.—

4035 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

4036 (c) Annually, by February 1, the Commissioner of Education
4037 shall publish on the department's website the status of each

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4038 school district's instructional personnel and school
4039 administrator evaluation systems. This information must include:

4040 ~~1.~~ performance evaluation results for the prior school
4041 year for instructional personnel and school administrators using
4042 the four levels of performance specified in paragraph (2)(e).
4043 The performance evaluation results for instructional personnel
4044 shall be disaggregated by classroom teachers, as defined in s.
4045 1012.01(2)(a), excluding substitute teachers, and all other
4046 instructional personnel, as defined in s. 1012.01(2)(b)-(d).

4047 ~~2. An analysis that compares performance evaluation~~
4048 ~~results calculated by each school district to indicators of~~
4049 ~~performance calculated by the department using the standards for~~
4050 ~~performance levels adopted by the state board under subsection~~
4051 ~~(8).~~

4052 ~~3. Data reported under s. 1012.341.~~

4053 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
4054 personnel and school administrator performance evaluations must
4055 be based upon the performance of students assigned to their
4056 classrooms or schools, as provided in this section. Pursuant to
4057 this section, a school district's performance evaluation system
4058 is not limited to basing unsatisfactory performance of
4059 instructional personnel and school administrators solely upon
4060 student performance, but may include other criteria to evaluate
4061 instructional personnel and school administrators' performance,
4062 or any combination of student performance and other criteria.

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Evaluation procedures and criteria must comply with, but are not limited to, the following:

(a) A performance evaluation must be conducted for each employee at least once a year, except that a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, who is newly hired by the district school board must be observed and evaluated at least twice in the first year of teaching in the school district. The performance evaluation must be based upon sound educational principles and contemporary research in effective educational practices. The evaluation criteria must include:

1. Performance of students.—At least one-third of a performance evaluation must be based upon data and indicators of student performance, as determined by each school district ~~in accordance with subsection (7)~~. This portion of the evaluation must include growth or achievement data of the teacher's students or, for a school administrator, the students attending the school over the course of at least 3 years. If less than 3 years of data are available, the years for which data are available must be used. The proportion of growth or achievement data may be determined by instructional assignment.

2. Instructional practice.—For instructional personnel, at least one-third of the performance evaluation must be based upon instructional practice. Evaluation criteria used when annually observing classroom teachers, as defined in s. 1012.01(2)(a),

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4088 excluding substitute teachers, must include indicators based
4089 upon each of the Florida Educator Accomplished Practices adopted
4090 by the State Board of Education. For instructional personnel who
4091 are not classroom teachers, evaluation criteria must be based
4092 upon indicators of the Florida Educator Accomplished Practices
4093 and may include specific job expectations related to student
4094 support.

4095 3. Instructional leadership.—For school administrators, at
4096 least one-third of the performance evaluation must be based on
4097 instructional leadership. Evaluation criteria for instructional
4098 leadership must include indicators based upon each of the
4099 leadership standards adopted by the State Board of Education
4100 under s. 1012.986, including performance measures related to the
4101 effectiveness of classroom teachers in the school, the
4102 administrator's appropriate use of evaluation criteria and
4103 procedures, recruitment and retention of effective and highly
4104 effective classroom teachers, improvement in the percentage of
4105 instructional personnel evaluated at the highly effective or
4106 effective level, and other leadership practices that result in
4107 student learning growth. The system may include a means to give
4108 parents and instructional personnel an opportunity to provide
4109 input into the administrator's performance evaluation.

4110 4. Other indicators of performance.—For instructional
4111 personnel and school administrators, the remainder of a
4112 performance evaluation may include, but is not limited to,

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professional and job responsibilities as recommended by the State Board of Education or identified by the district school board and, for instructional personnel, peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.

(7) MEASUREMENT OF STUDENT PERFORMANCE.—

(a) The Commissioner of Education shall approve a formula to measure individual student learning growth on the statewide, standardized assessments in English Language Arts and mathematics administered under s. 1008.22. A third party, independent of the assessment developer, must analyze student learning growth data calculated using the formula and provide access to a data visualization tool that enables teachers to understand and evaluate the data and school administrators to improve instruction, evaluate programs, allocate resources, plan professional development, and communicate with stakeholders. The formula must take into consideration each student's prior academic performance. The formula must not set different expectations for student learning growth based upon a student's gender, race, ethnicity, or socioeconomic status. In the development of the formula, the commissioner shall consider other factors such as a student's attendance record, disability status, or status as an English language learner. The

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4138 commissioner may select additional formulas to measure student
4139 performance as appropriate for the remainder of the statewide,
4140 standardized assessments included under s. 1008.22 and continue
4141 to select formulas as new assessments are implemented in the
4142 state system. ~~After the commissioner approves the formula to~~
4143 ~~measure individual student learning growth, the State Board of~~
4144 ~~Education shall adopt these formulas in rule.~~

4145 (b) Each school district may, but is not required to,
4146 ~~shall~~ measure student learning growth using the formulas
4147 approved by the commissioner under paragraph (a) ~~and the~~
4148 ~~standards for performance levels adopted by the state board~~
4149 ~~under subsection (8) for courses associated with the statewide,~~
4150 ~~standardized assessments administered under s. 1008.22 no later~~
4151 ~~than the school year immediately following the year the formula~~
4152 ~~is approved by the commissioner. For grades and subjects not~~
4153 ~~assessed by statewide, standardized assessments, each school~~
4154 ~~district shall measure student performance using a methodology~~
4155 ~~determined by the district.~~

4156 (8) RULEMAKING. ~~No later than August 1, 2015,~~ The State
4157 Board of Education shall adopt rules pursuant to ss. 120.536(1)
4158 and 120.54 which establish uniform procedures and format for the
4159 submission, review, and approval of district evaluation systems
4160 and reporting requirements for the annual evaluation of
4161 instructional personnel and school administrators; ~~specific,~~
4162 ~~discrete standards for each performance level required under~~

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~~subsection (2), based on student learning growth models approved by the commissioner, to ensure clear and sufficient differentiation in the performance levels and to provide consistency in meaning across school districts; the measurement of student learning growth and associated implementation procedures required under subsection (7); and a process for monitoring school district implementation of evaluation systems in accordance with this section.~~

~~(9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS. Standards for each performance level required under subsection (2) shall be established by the State Board of Education beginning with the 2015-2016 school year.~~

Section 37. The Commissioner of Education shall contract for an independent study to determine whether the SAT and ACT may be administered in lieu of the grade 10 statewide, standardized ELA assessment and the Algebra I end-of-course assessment for high school students consistent with federal requirements under 20 U.S.C. s. 6311(b)(2)(H). The commissioner shall submit a report containing the results of such review and any recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education by January 1, 2018.

Section 38. Effective upon this act becoming a law, subsections (18), (21), (24), and (27) of section 1001.42, Florida Statutes, are amended to read:

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1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.— Maintain a system of school improvement and education accountability as provided by statute and State Board of Education rule. This system of school improvement and education accountability shall be consistent with, and implemented through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, and 1011.01. This system of school improvement and education accountability shall comply with the provisions of ss. 1008.33, 1008.34, 1008.345, and 1008.385 and include the following:

(a) *School improvement plans.*—

~~1.~~ The district school board shall annually approve and require implementation of a new, amended, or continuation school improvement plan for each school in the district which has a school grade of "D" or "F"; ~~— If a school~~ has a significant gap in achievement on statewide, standardized assessments administered pursuant to s. 1008.22 by one or more student subgroups, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not significantly increased the percentage of students passing statewide, standardized assessments; has not significantly increased the percentage of students demonstrating Learning

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Gains, as defined in s. 1008.34 and as calculated under s. 1008.34(3)(b), who passed statewide, standardized assessments; or has significantly lower graduation rates for a subgroup when compared to the state's graduation rate. The, that school's improvement plan of a school that meets the requirements of this paragraph shall include strategies for improving these results. The state board shall adopt rules establishing thresholds and for determining compliance with this subparagraph.

~~2. A school that includes any of grades 6, 7, or 8 shall include annually in its school improvement plan information and data on the school's early warning system required under paragraph (b), including a list of the early warning indicators used in the system, the number of students identified by the system as exhibiting two or more early warning indicators, the number of students by grade level that exhibit each early warning indicator, and a description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system. In addition, a school that includes any of grades 6, 7, or 8 shall describe in its school improvement plan the strategies used by the school to implement the instructional practices for middle grades emphasized by the district's professional development system pursuant to s. 1012.98(4)(b)9.~~

(b) *Early warning system.*—

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4237 1. A school that serves any students in kindergarten
4238 through grade ~~includes any of grades 6, 7, or 8~~ shall implement
4239 an early warning system to identify students in such grades ~~6,~~
4240 ~~7, and 8~~ who need additional support to improve academic
4241 performance and stay engaged in school. The early warning system
4242 must include the following early warning indicators:

4243 a. Attendance below 90 percent, regardless of whether
4244 absence is excused or a result of out-of-school suspension.

4245 b. One or more suspensions, whether in school or out of
4246 school.

4247 c. Course failure in English Language Arts or mathematics
4248 during any grading period.

4249 d. A Level 1 score on the statewide, standardized
4250 assessments in English Language Arts or mathematics or, for
4251 students in kindergarten through grade 3, a substantial reading
4252 deficiency under s. 1008.25(5) (a).

4253
4254 A school district may identify additional early warning
4255 indicators for use in a school's early warning system. The
4256 system must include data on the number of students identified by
4257 the system as exhibiting two or more early warning indicators,
4258 the number of students by grade level who exhibit each early
4259 warning indicator, and a description of all intervention
4260 strategies employed by the school to improve the academic
4261 performance of students identified by the early warning system.

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2. A school-based team responsible for implementing the requirements of this paragraph shall monitor the data from the early warning system. The team may include a school psychologist. When a student exhibits two or more early warning indicators, the team, in consultation with the student's parent, shall ~~school's child study team under s. 1003.02 or a school-based team formed for the purpose of implementing the requirements of this paragraph shall convene to determine appropriate intervention strategies for the student unless the student is already being served by an intervention program at the direction of a school-based, multidisciplinary team. Data and information relating to a student's early warning indicators must be used to inform any intervention strategies provided to the student~~ ~~The school shall provide at least 10 days' written notice of the meeting to the student's parent, indicating the meeting's purpose, time, and location, and provide the parent the opportunity to participate.~~

(21) EDUCATIONAL AUTHORITY TO DECLARE AN EMERGENCY. ~~May declare an emergency in cases in which one or more schools in the district are failing or are in danger of failing and~~ Negotiate special provisions of its contract with the appropriate bargaining units to free ~~these~~ schools with a school grade of "D" or "F" from contract restrictions that limit the school's ability to implement programs and strategies needed to improve student performance. The negotiations shall result in a

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4287 memorandum of understanding that addresses the selection,
4288 placement, and expectations of instructional personnel and
4289 provides principals with the autonomy described in s.
4290 1012.28(8). For purposes of this subsection, an educational
4291 emergency exists in a school district if one or more schools in
4292 the district have a school grade of "D" or "F."

4293 (24) EMPLOYMENT CONTRACTS.—

4294 (a) If a school district enters into a contract or
4295 employment agreement, or renewal or renegotiation of an existing
4296 contract or employment agreement, with an officer, agent,
4297 employee, or contractor which contains a provision for severance
4298 pay, the contract or employment agreement must include the
4299 provisions of s. 215.425.

4300 (b) A district school board may not award an annual
4301 contract on the basis of any contingency or condition not
4302 expressly authorized in law by the Legislature or alter or limit
4303 its authority to award or not award an annual contract as
4304 provided in s. 1012.335. This paragraph applies only to a
4305 collective bargaining agreement entered into or renewed by a
4306 district school board on or after the effective date of this
4307 act.

4308 (27) VISITATION OF SCHOOLS.—Visit the schools, observe the
4309 management and instruction, give suggestions for improvement,
4310 and advise citizens with the view of promoting interest in
4311 education and improving the school. A school board member shall

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4312 be permitted to visit district-operated schools without an
4313 appointment.

4314 Section 39. The Division of Law Revision and Information
4315 is directed to replace the phrase "the effective date of this
4316 act" wherever it occurs in this act with the date the act
4317 becomes a law.

4318 Section 40. Subsections (3), (4), and (5) of section
4319 1008.33, Florida Statutes, are amended to read:

4320 1008.33 Authority to enforce public school improvement.—

4321 (3)(a) The academic performance of all students has a
4322 significant effect on the state school system. Pursuant to Art.
4323 IX of the State Constitution, which prescribes the duty of the
4324 State Board of Education to supervise Florida's public school
4325 system, the state board shall equitably enforce the
4326 accountability requirements of the state school system and may
4327 impose state requirements on school districts in order to
4328 improve the academic performance of all districts, schools, and
4329 students based upon the provisions of the Florida K-20 Education
4330 Code, chapters 1000-1013; the federal ESEA and its implementing
4331 regulations; and the ESEA flexibility waiver approved for
4332 Florida by the United States Secretary of Education.

4333 (b) ~~Beginning with the 2011-2012 school year,~~ The
4334 Department of Education shall annually identify each public
4335 school in need of intervention and support to improve student
4336 academic performance. All schools earning a grade of "D" or "F"

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pursuant to s. 1008.34 are schools in need of intervention and support.

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools. The intervention and support strategies must address student performance and may include improvement planning; leadership quality improvement; educator quality improvement; professional development; curriculum review, alignment and pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and the use of continuous improvement and monitoring plans and processes. In addition, the state board may prescribe reporting requirements to review and monitor the progress of the schools. The rule must define the intervention and support strategies for school improvement for schools earning a grade of "D" or "F" and the roles for the district and department. ~~The rule shall differentiate among schools earning consecutive grades of "D" or "F," or a combination thereof, and provide for more intense monitoring, intervention, and support strategies for these schools.~~

(4)(a) The state board shall apply intensive ~~the most intense~~ intervention and support strategies tailored to the needs of ~~to~~ schools earning two consecutive grades of "D" or a

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grade of "F." In the first full school year after a school initially earns two consecutive grades of "D" or a grade of "F," the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c) and, by September 1, provide, ~~select a turnaround option from those provided in subparagraphs (b)1.-5., and submit a plan for implementing the turnaround option to the department with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation for approval by the state board. Upon approval by the state board, the turnaround option must be implemented in the following school year.~~

(b) Unless an additional year of implementation is provided pursuant to paragraph (a), ~~The turnaround options available to a school district to address a school that earns three consecutive grades below a "C" must implement one of the following a grade of "F" are:~~

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4387 ~~1. Convert the school to a district-managed turnaround~~
4388 ~~school;~~

4389 ~~1.2.~~ Reassign students to another school and monitor the
4390 progress of each reassigned student;

4391 ~~2.3.~~ Close the school and reopen the school as one or more
4392 charter schools, each with a governing board that has a
4393 demonstrated record of effectiveness; or

4394 ~~3.4.~~ Contract with an outside entity that has a
4395 demonstrated record of effectiveness to operate the school. An
4396 outside entity may include a district-managed charter school in
4397 which all instructional personnel are not employees of the
4398 school district, but are employees of an independent governing
4399 board composed of members who did not participate in the review
4400 or approval of the charter; or

4401 ~~5. Implement a hybrid of turnaround options set forth in~~
4402 ~~subparagraphs 1.-4. or other turnaround models that have a~~
4403 ~~demonstrated record of effectiveness.~~

4404 (c) ~~A school earning a grade of "F" shall have a planning~~
4405 ~~year followed by 2 full school years to implement the initial~~
4406 ~~turnaround option selected by the school district and approved~~
4407 ~~by the state board. Implementation of the turnaround option is~~
4408 ~~no longer required if the school improves to a grade of "C" or~~
4409 ~~higher by at least one letter grade.~~

4410 (d) ~~A school earning a grade of "F" that improves its~~
4411 ~~letter grade must continue to implement strategies identified in~~

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~~its school improvement plan pursuant to s. 1001.42(18)(a). The department must annually review implementation of the school improvement plan for 3 years to monitor the school's continued improvement.~~

~~(d)(e)~~ If a school earning two consecutive grades of "D" or a grade of "F" does not improve to a grade of "C" or higher by ~~at least one letter grade~~ after 2 full school years of implementing the turnaround option selected by the school district under paragraph (b), the school district must implement ~~select a different option and submit another turnaround option implementation plan to the department for approval by the state board.~~ Implementation of the turnaround option ~~approved plan~~ must begin the school year following the implementation period of the existing turnaround option, unless the state board determines that the school is likely to improve to a grade of "C" or higher ~~a letter grade~~ if additional time is provided to implement the existing turnaround option.

~~(5) A school that earns a grade of "D" for 3 consecutive years must implement the district-managed turnaround option pursuant to subparagraph (4)(b)1. The school district must submit an implementation plan to the department for approval by the state board.~~

Section 41. Subsection (5) and paragraph (d) of subsection (6) of section 1008.345, Florida Statutes, are amended to read:

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1008.345 Implementation of state system of school improvement and education accountability.—

(5) The commissioner shall annually report to the State Board of Education and the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report shall include:

(a) For each school district:

1. The percentage of students, by school and grade level, demonstrating learning growth in English Language Arts and mathematics.

2. The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.

3. The information contained in the school district's annual report required pursuant to s. 1008.25(8).

(b) Intervention and support strategies used by school districts ~~boards~~ whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.

(c) Intervention and support strategies used by school districts ~~boards~~ whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in English Language Arts and mathematics that exceeds the statewide average learning growth for students in those subjects.

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4461 (d) Based upon a review of each school district's reading
4462 plan submitted pursuant to s. 1011.62(9), intervention and
4463 support strategies used by school districts that were effective
4464 in improving the reading performance of students, as indicated
4465 by student performance data, who are identified as having a
4466 substantial reading deficiency pursuant to s. 1008.25(5) (a).

4467
4468 School reports shall be distributed pursuant to this subsection
4469 and s. 1001.42(18)(c) and according to rules adopted by the
4470 State Board of Education.

4471 (6)

4472 (d) The commissioner shall assign a community assessment
4473 team to each school district or governing board with a school
4474 that earned a grade of "D" or "F" ~~or three consecutive grades of~~
4475 ~~"D"~~ pursuant to s. 1008.34 to review the school performance data
4476 and determine causes for the low performance, including the role
4477 of school, area, and district administrative personnel. The
4478 community assessment team shall review a high school's
4479 graduation rate calculated without high school equivalency
4480 diploma recipients for the past 3 years, disaggregated by
4481 student ethnicity. The team shall make recommendations to the
4482 school board or the governing board and to the State Board of
4483 Education based on the interventions and support strategies
4484 identified pursuant to subsection (5) to which address the
4485 causes of the school's low performance and to incorporate the

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4486 strategies and may be incorporated into the school improvement
4487 plan. The assessment team shall include, but not be limited to,
4488 a department representative, parents, business representatives,
4489 educators, representatives of local governments, and community
4490 activists, and shall represent the demographics of the community
4491 from which they are appointed.

4492 Section 42. Effective upon this act becoming a law,
4493 section 1002.333, Florida Statutes, is created to read:

4494 1002.333 Persistently low-performing schools.-

4495 (1) DEFINITIONS.-As used in this section, the term:

4496 (a) "Hope operator" means an entity identified by the
4497 department pursuant to subsection (2).

4498 (b) "Persistently low-performing school" means a school
4499 that has earned three consecutive grades lower than a "C,"
4500 pursuant to s. 1008.34, and a school that was closed pursuant to
4501 s. 1008.33(4) within 2 years after the submission of a notice of
4502 intent.

4503 (c) "School of hope" means:

4504 1. A charter school operated by a hope operator which
4505 serves students from one or more persistently low-performing
4506 schools; is located in the attendance zone of a persistently
4507 low-performing school or within a 5-mile radius of such school,
4508 whichever is greater; and is a Title I eligible school; or

4509 2. A school operated by a hope operator pursuant to s.
4510 1008.33(4)(b)3.

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4511 (2) HOPE OPERATOR.—A hope operator is a nonprofit
4512 organization with tax exempt status under s. 501(c)(3) of the
4513 Internal Revenue Code that operates three or more charter
4514 schools that serve students in grades K-12 in Florida or other
4515 states with a record of serving students from low-income
4516 families and is designated by the State Board of Education as a
4517 hope operator based on a determination that:

4518 (a) The past performance of the hope operator meets or
4519 exceeds the following criteria:

4520 1. The achievement of enrolled students exceeds the
4521 district and state averages of the states in which the
4522 operator's schools operate;

4523 2. The average college attendance rate at all schools
4524 currently operated by the operator exceeds 80 percent, if such
4525 data is available;

4526 3. The percentage of students eligible for a free or
4527 reduced price lunch under the National School Lunch Act enrolled
4528 at all schools currently operated by the operator exceeds 70
4529 percent;

4530 4. The operator is in good standing with the authorizer in
4531 each state in which it operates;

4532 5. The audited financial statements of the operator are
4533 free of material misstatements and going concern issues; and

4534 6. Other outcome measures as determined by the State Board
4535 of Education;

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(b) The operator was awarded a United States Department of Education Charter School Program grant for Replication and Expansion of High-Quality Charter Schools within the preceding 3 years before applying to be a hope operator;

(c) The operator receives funding through the National Fund of the Charter School Growth Fund to accelerate the growth of the nation's best charter schools; or

(d) The operator is selected by a district school board in accordance with s. 1008.33.

An entity that meets the requirements of paragraph (b), paragraph (c), or paragraph (d) before the adoption by the state board of measurable criteria pursuant to paragraph (a) shall be designated as a hope operator. After the adoption of the measurable criteria, an entity, including a governing board that operates a school established pursuant to s. 1008.33(4)(b)3., shall be designated as a hope operator if it meets the criteria of paragraph (a).

(3) DESIGNATION OF HOPE OPERATOR.—Initial status as a hope operator is valid for 5 years from the opening of a school of hope. If a hope operator seeks the renewal of its status, such renewal shall solely be based upon the academic and financial performance of all schools established by the operator in the state since its initial designation.

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4560 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
4561 seeking to open a school of hope must submit a notice of intent
4562 to the school district in which a persistently low-performing
4563 school has been identified by the State Board of Education
4564 pursuant to subsection (10).

4565 (a) The notice of intent must include:

- 4566 1. An academic focus and plan.
4567 2. A financial plan.
4568 3. Goals and objectives for increasing student achievement
4569 for the students from low-income families.
4570 4. A completed or planned community outreach plan.
4571 5. The organizational history of success in working with
4572 students with similar demographics.
4573 6. The grade levels to be served and enrollment
4574 projections.
4575 7. The proposed location or geographic area proposed for
4576 the school and its proximity to the persistently low-performing
4577 school.
4578 8. A staffing plan.

4579 (b) Notwithstanding the requirements of s. 1002.33, a
4580 school district shall enter into a performance-based agreement
4581 with a hope operator to open schools to serve students from
4582 persistently low-performing schools.

4583 (5) PERFORMANCE-BASED AGREEMENT.—The following shall
4584 comprise the entirety of the performance-based agreement:

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4585 (a) The notice of intent, which is incorporated by
4586 reference and attached to the agreement.

4587 (b) The location or geographic area proposed for the
4588 school of hope and its proximity to the persistently low-
4589 performing school.

4590 (c) An enumeration of the grades to be served in each year
4591 of the agreement and whether the school will serve children in
4592 the school readiness or prekindergarten programs.

4593 (d) A plan of action and specific milestones for student
4594 recruitment and the enrollment of students from persistently
4595 low-performing schools, including enrollment preferences and
4596 procedures for conducting transparent admissions lotteries that
4597 are open to the public. Students from persistently low-
4598 performing schools shall be exempt from any enrollment lottery
4599 to the extent permitted by federal grant requirements.

4600 (e) A delineation of the current incoming baseline
4601 standard of student academic achievement, the outcomes to be
4602 achieved, and the method of measurement that will be used.

4603 (f) A description of the methods of involving parents and
4604 expected levels for such involvement.

4605 (g) The grounds for termination, including failure to meet
4606 the requirements for student performance established pursuant to
4607 paragraph (e), generally accepted standards of fiscal
4608 management, or material violation of terms of the agreement. The

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nonrenewal or termination of a performance-based agreement must
comply with the requirements of s. 1002.33(8).

(h) A provision allowing the hope operator to open
additional schools to serve students enrolled in or zoned for a
persistently low-performing school if the hope operator
maintains its status under subsection (3).

(i) A provision establishing the initial term as 5 years.
The agreement shall be renewed, upon the request of the hope
operator, unless the school fails to meet the requirements for
student performance established pursuant to paragraph (e) or
generally accepted standards of fiscal management or the school
of hope materially violates the law or the terms of the
agreement.

(j) A requirement to provide transportation consistent
with the requirements of ss. 1006.21-1006.27 and s. 1012.45. The
governing body of the school of hope may provide transportation
through an agreement or contract with the district school board,
a private provider, or parents of enrolled students.
Transportation may not be a barrier to equal access for all
students residing within reasonable distance of the school.

(k) A requirement that any arrangement entered into to
borrow or otherwise secure funds for the school of hope from a
source other than the state or a school district shall indemnify
the state and the school district from any and all liability,

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4633 including, but not limited to, financial responsibility for the
4634 payment of the principal or interest.

4635 (l) A provision that any loans, bonds, or other financial
4636 agreements are not obligations of the state or the school
4637 district but are obligations of the school of hope and are
4638 payable solely from the sources of funds pledged by such
4639 agreement.

4640 (m) A prohibition on the pledge of credit or taxing power
4641 of the state or the school district.

4642 (6) STATUTORY AUTHORITY.—

4643 (a) A school of hope may be designated as a local
4644 education agency, if requested, for the purposes of receiving
4645 federal funds and, in doing so, accepts the full responsibility
4646 for all local education agency requirements and the schools for
4647 which it will perform local education agency responsibilities.
4648 Students enrolled in a school established by a hope operator
4649 designated as a local educational agency are not eligible
4650 students for purposes of calculating the district grade pursuant
4651 to s. 1008.34(5).

4652 (b) For the purposes of tort liability, the hope operator,
4653 the school of hope, and its employees or agents shall be
4654 governed by s. 768.28. The sponsor shall not be liable for civil
4655 damages under state law for the employment actions or personal
4656 injury, property damage, or death resulting from an act or
4657 omission of a hope operator, the school of hope, or its

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employees or agents. This paragraph does not include any for-profit entity contracted by the charter school or its governing body.

(c) A school of hope may be either a private or a public employer. As a public employer, the school of hope may participate in the Florida Retirement System upon application and approval as a covered group under s. 121.021(34). If a school of hope participates in the Florida Retirement System, the school of hope's employees shall be compulsory members of the Florida Retirement System.

(d) A hope operator may employ school administrators and instructional personnel who do not meet the requirements of s. 1012.56 if the school administrators and instructional personnel are not ineligible for such employment under s. 1012.315.

(e) Compliance with s. 1003.03 shall be calculated as the average at the school level.

(f) Schools of hope operated by a hope operator shall be exempt from chapters 1000-1013 and all school board policies. However, a hope operator shall be in compliance with the laws in chapters 1000-1013 relating to:

1. The student assessment program and school grading system.

2. Student progression and graduation.

3. The provision of services to students with disabilities.

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4683 4. Civil rights, including s. 1000.05, relating to
4684 discrimination.

4685 5. Student health, safety, and welfare.

4686 6. Public meetings and records, public inspection, and
4687 criminal and civil penalties pursuant to s. 286.011. The
4688 governing board of a school of hope must hold at least two
4689 public meetings per school year in the school district in which
4690 the school of hope is located. Any other meetings of the
4691 governing board may be held in accordance with s. 120.54(5)(b)2.

4692 7. Public records pursuant to chapter 119.

4693 8. The code of ethics for public officers and employees
4694 pursuant to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

4695 (g) Each school of hope shall report its students to the
4696 school district as required in s. 1011.62, and in accordance
4697 with the definitions in s. 1011.61. The school district shall
4698 include each charter school's enrollment in the district's
4699 report of student enrollment. All charter schools submitting
4700 student record information required by the department shall
4701 comply with the department's guidelines for electronic data
4702 formats for such data, and all districts shall accept electronic
4703 data that complies with the department's electronic format.

4704 (h) A school of hope shall provide the school district
4705 with a concise, uniform, quarterly financial statement summary
4706 sheet that contains a balance sheet and a statement of revenue,
4707 expenditures, and changes in fund balance. The balance sheet and

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the statement of revenue, expenditures, and changes in fund balance shall be in the governmental fund format prescribed by the Governmental Accounting Standards Board. Additionally, a school of hope shall comply with the annual audit requirement for charter schools in s. 218.39.

(7) FACILITIES.—

(a) A school of hope shall use facilities that comply with the Florida Building Code, except for the State Requirements for Educational Facilities. A school of hope that uses school district facilities must comply with the State Requirements for Educational Facilities only if the school district and the hope operator have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain the school facilities in the same manner as its other public schools within the district. The local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for inspection of a

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facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney fees and court costs.

(b) Any facility, or portion thereof, used to house a school of hope shall be exempt from ad valorem taxes pursuant to s. 196.1983. Library, community service, museum, performing arts, theatre, cinema, church, Florida College System institution, college, and university facilities may provide space to schools of hope within their facilities under their preexisting zoning and land use designations without obtaining a special exception, rezoning, or a land use change.

(c) School of hope facilities are exempt from assessments of fees for building permits, except as provided in s. 553.80; fees for building and occupational licenses; impact fees or exactions; service availability fees; and assessments for special benefits.

(d) No later than October 1, each school district shall annually provide to the Department of Education a list of all underused, vacant, or surplus facilities owned or operated by the school district. A hope operator establishing a school of

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hope may use an educational facility identified in this paragraph at no cost or at a mutually agreeable cost not to exceed \$600 per student. A hope operator using a facility pursuant to this paragraph may not sell or dispose of such facility without the written permission of the school district. For purposes of this paragraph, the term "underused, vacant, or surplus facility" means an entire facility or portion thereof which is not fully used or is used irregularly or intermittently by the school district for instructional or program use.

(8) NONCOMPLIANCE.—A school district that does not enter into a performance-based agreement within 60 days after receipt of a notice of intent shall reduce the administrative fees withheld pursuant to s. 1002.33(20) to 1 percent for all charter schools operating in the school district. Upon execution of the performance-based agreement, the school district may resume withholding the full amount of administrative fees, but may not recover any fees that would have otherwise accrued during the period of noncompliance. Any charter school that had administrative fees withheld in violation of this subsection may recover attorney fees and costs to enforce the requirements of this subsection. A school district subject to the requirements of this section shall file a monthly report detailing the reduction in the amount of administrative fees withheld.

(9) FUNDING.—

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4782 (a) Schools of hope shall be funded in accordance with s.
4783 1002.33(17).

4784 (b) Schools of hope shall receive priority in the
4785 department's Public Charter School Grant Program competitions.

4786 (c) Schools of hope shall be considered charter schools
4787 for purposes of s. 1013.62, except charter capital outlay may
4788 not be used to purchase real property or for the construction of
4789 school facilities.

4790 (d) Schools of hope are eligible to receive funds from the
4791 Schools of Hope Program.

4792 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
4793 is created within the Department of Education.

4794 (a) A school of hope is eligible to receive funds from the
4795 Schools of Hope Program for the following expenditures:

4796 1. Preparing teachers, school leaders, and specialized
4797 instructional support personnel, including costs associated
4798 with:

4799 a. Providing professional development.

4800 b. Hiring and compensating teachers, school leaders, and
4801 specialized instructional support personnel for services beyond
4802 the school day and year.

4803 2. Acquiring supplies, training, equipment, and
4804 educational materials, including developing and acquiring
4805 instructional materials.

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4806 3. Providing one-time startup costs associated with
4807 providing transportation to students to and from the charter
4808 school.

4809 4. Carrying out community engagement activities, which may
4810 include paying the cost of student and staff recruitment.

4811 5. Providing funds to cover the nonvoted ad valorem
4812 millage that would otherwise be required for schools and the
4813 required local effort funds calculated pursuant to s. 1011.62
4814 when the state board enters into an agreement with a hope
4815 operator pursuant to subsection (5).

4816 (b) A traditional public school that is required to submit
4817 a plan for implementation pursuant to s. 1008.33(4) is eligible
4818 to receive up to \$2,000 per full-time equivalent student from
4819 the Schools of Hope Program based upon the strength of the
4820 school's plan for implementation and its focus on evidence-based
4821 interventions that lead to student success by providing wrap-
4822 around services that leverage community assets, improve school
4823 and community collaboration, and develop family and community
4824 partnerships. Wrap-around services include, but are not limited
4825 to, tutorial and after-school programs, student counseling,
4826 nutrition education, parental counseling, and adult education.
4827 Plans for implementation may also include models that develop a
4828 culture of attending college, high academic expectations,
4829 character development, dress codes, and an extended school day
4830 and school year. At a minimum, a plan for implementation must:

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4831 1. Establish wrap-around services that develop family and
4832 community partnerships.

4833 2. Establish clearly defined and measurable high academic
4834 and character standards.

4835 3. Increase parental involvement and engagement in the
4836 child's education.

4837 4. Describe how the school district will identify,
4838 recruit, retain, and reward instructional personnel. The state
4839 board may waive the requirements of s. 1012.22(1)(c)5., and
4840 suspend the requirements of s. 1012.34, to facilitate
4841 implementation of the plan.

4842 5. Identify a knowledge-rich curriculum that the school
4843 will use that focuses on developing a student's background
4844 knowledge.

4845 6. Provide professional development that focuses on
4846 academic rigor, direct instruction, and creating high academic
4847 and character standards.

4848 (c) The state board shall:

4849 1. Provide awards for up to 25 schools and prioritize
4850 awards for plans submitted pursuant to paragraph (b) that are
4851 based on whole school transformation and that are developed in
4852 consultation with the school's principal.

4853 2. Annually report on the implementation of this
4854 subsection in the report required by s. 1008.345(5), and provide

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4855 summarized academic performance reports of each traditional
4856 public school receiving funds.

4857 (11) STATE BOARD OF EDUCATION AUTHORITY AND OBLIGATIONS.—
4858 Pursuant to Art. IX of the State Constitution, which prescribes
4859 the duty of the State Board of Education to supervise the public
4860 school system, the State Board of Education shall:

4861 (a) Publish an annual list of persistently low-performing
4862 schools after the release of preliminary school grades.

4863 (b) Adopt a standard notice of intent and performance-
4864 based agreement that must be used by hope operators and district
4865 school boards to eliminate regulatory and bureaucratic barriers
4866 that delay access to high quality schools for students in
4867 persistently low-performing schools.

4868 (c) Resolve disputes between a hope operator and a school
4869 district arising from a performance-based agreement or a
4870 contract between a charter operator and a school district under
4871 the requirements of s. 1008.33. The Commissioner of Education
4872 shall appoint a special magistrate who is a member of The
4873 Florida Bar in good standing and who has at least 5 years'
4874 experience in administrative law. The special magistrate shall
4875 hold hearings to determine facts relating to the dispute and to
4876 render a recommended decision for resolution to the State Board
4877 of Education. The recommendation may not alter in any way the
4878 provisions of the performance-based agreement under subsection
4879 (5). The special magistrate may administer oaths and issue

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subpoenas on behalf of the parties to the dispute or on his or
her own behalf. Within 15 calendar days after the close of the
final hearing, the special magistrate shall transmit a
recommended decision to the State Board of Education and to the
representatives of both parties by registered mail, return
receipt requested. The State Board of Education must approve or
reject the recommended decision at its next regularly scheduled
meeting that is more than 7 calendar days and no more than 30
days after the date the recommended decision is transmitted. The
decision by the State Board of Education is a final agency
action that may be appealed to the District Court of Appeal,
First District in accordance with s. 120.68. A charter school
may recover attorney fees and costs if the State Board of
Education determines that the school district unlawfully
implemented or otherwise impeded implementation of the
performance-based agreement pursuant to this paragraph.

(d) Provide students in persistently low-performing
schools with a public school that meets accountability
standards. The State Board of Education may enter into a
performance-based agreement with a hope operator when a school
district has not improved the school after 3 years of the
interventions and support provided under s. 1008.33 or has not
complied with the requirements of subsection (4). Upon the State
Board of Education entering into a performance-based agreement
with a hope operator, the school district shall transfer to the

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4905 school of hope the proportionate share of state funds allocated
4906 from the Florida Education Finance Program.

4907 (12) RULES.—The State Board of Education shall adopt rules
4908 pursuant to ss. 120.536(1) and 120.54 to implement this section.

4909 Section 43. Section 1001.292, Florida Statutes, is created
4910 to read:

4911 1001.292 Schools of Hope Revolving Loan Program.—

4912 (1) The Schools of Hope Revolving Loan Program is
4913 established within the Department of Education to provide
4914 assistance to hope operators, as defined in s. 1002.333, to meet
4915 school building construction needs and pay for expenses related
4916 to the startup of a new charter school. The program shall
4917 consist of funds appropriated by the Legislature, money received
4918 from the repayment of loans made from the program, and interest
4919 earned.

4920 (2) Funds provided pursuant to this section may not exceed
4921 25 percent of the total cost of the project, which shall be
4922 calculated based on 80 percent of the cost per student station
4923 established by s. 1013.64(6)(b) multiplied by the capacity of
4924 the facility.

4925 (3) The department may contract with a third-party
4926 administrator to administer the program. If the department
4927 contracts with a third-party administrator, funds shall be
4928 granted to the third-party administrator to create a revolving
4929 loan fund for the purpose of financing projects that meet the

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4930 requirements of subsection (4). The third-party administrator
4931 shall report to the department annually. The department shall
4932 continue to administer the program until a third-party
4933 administrator is selected.

4934 (4) Hope operators that have been designated by the State
4935 Board of Education and have executed a performance-based
4936 agreement pursuant to s. 1002.333 shall be provided a loan of up
4937 to the amount provided in subsection (2) for projects that are
4938 located in the attendance area of a persistently low-performing
4939 school or within a 5-mile radius of such school and primarily
4940 serve students from the persistently low-performing school. A
4941 hope operator is not eligible for funding if it operates in
4942 facilities provided by the school district for a nominal fee, or
4943 at no charge, or if it is directly or indirectly operated by the
4944 school district.

4945 (5) The department shall post on its website the projects
4946 that have received loans, the geographic distribution of the
4947 projects, the status of the projects, the costs of the program,
4948 and student outcomes for students enrolled in the school of hope
4949 receiving funds.

4950 (6) All repayments of principal and interest shall be
4951 returned to the loan fund and made available for loans to other
4952 applicants.

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4953 (7) Interest on loans provided under this program may be
4954 used to defray the costs of administration and shall be the
4955 lower of:

4956 (a) The rate paid on moneys held in the fund; or

4957 (b) A rate equal to 50 percent of the rate authorized
4958 under the provisions of s. 215.84.

4959 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
4960 funds allocated for this purpose which are not disbursed by June
4961 30 of the fiscal year in which the funds are allocated may be
4962 carried forward for up to 5 years after the effective date of
4963 the original appropriation.

4964 Section 44. Subsection (5) is added to section 1011.69,
4965 Florida Statutes, to read:

4966 1011.69 Equity in School-Level Funding Act.—

4967 (5) After providing Title I, Part A, Basic funds to
4968 schools above the 75 percent poverty threshold, school districts
4969 shall provide any remaining Title I, Part A, Basic funds
4970 directly to all eligible schools as provided in this subsection.
4971 For purposes of this subsection, an eligible school is a school
4972 that is eligible to receive Title I funds, including a charter
4973 school. The threshold for identifying eligible schools may not
4974 exceed the threshold established by a school district for the
4975 2016-2017 school year or the statewide percentage of
4976 economically disadvantaged students, as determined annually.

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4977 (a) Prior to the allocation of Title I funds to eligible
4978 schools, a school district may withhold funds only as follows:

4979 1. One percent for parent involvement, in addition to the
4980 one percent the district must reserve under federal law for
4981 allocations to eligible schools for parent involvement;

4982 2. A necessary and reasonable amount for administration,
4983 which includes the district's indirect cost rate, not to exceed
4984 a total of 8 percent; and

4985 3. A reasonable and necessary amount to provide:

4986 a. Homeless programs;

4987 b. Delinquent and neglected programs;

4988 c. Prekindergarten programs and activities;

4989 d. Private school equitable services; and

4990 e. Transportation for foster care children to their school
4991 of origin or choice programs.

4992 (b) All remaining Title I funds shall be distributed to
4993 all eligible schools in accordance with federal law and
4994 regulation. An eligible school may use funds under this
4995 subsection to participate in discretionary educational services
4996 provided by the school district.

4997 Section 45. Subsections (3), (4), (5), and (8) of section
4998 1012.731, Florida Statutes, are amended to read:

4999 1012.731 The Florida Best and Brightest Teacher
5000 Scholarship Program.—

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5001 (3) (a) To be eligible for a scholarship in the amount of
5002 \$6,000, a classroom teacher must:

5003 1. Have achieved a composite score at or above the 80th
5004 percentile on either the SAT or the ACT based on the National
5005 Percentile Ranks in effect when the classroom teacher took the
5006 assessment and have been evaluated as highly effective pursuant
5007 to s. 1012.34 in the school year immediately preceding the year
5008 in which the scholarship will be awarded, unless the classroom
5009 teacher is newly hired by the district school board and has not
5010 been evaluated pursuant to s. 1012.34.

5011 2. Beginning with the 2020-2021 school year, have achieved
5012 a composite score at or above the 77th percentile or, if the
5013 classroom teacher graduated cum laude or higher with a
5014 baccalaureate degree, the 71st percentile on either the SAT,
5015 ACT, GRE, LSAT, GMAT, or MCAT based on the National Percentile
5016 Ranks in effect when the classroom teacher took the assessment;
5017 and have been evaluated as highly effective pursuant to s.
5018 1012.34, or have been evaluated as highly effective based on a
5019 commissioner-approved student learning growth formula pursuant
5020 to s. 1012.34(8), in the school year immediately preceding the
5021 year in which the scholarship will be awarded, unless the
5022 classroom teacher is newly hired by the district school board
5023 and has not been evaluated pursuant to s. 1012.34.

5024 (b) In order to demonstrate eligibility for an award, an
5025 eligible classroom teacher must submit to the school district,

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no later than November 1, an official record of his or her qualifying assessment ~~SAT or ACT score~~ and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if applicable ~~the classroom teacher scored at or above the 80th percentile based on the National Percentile Ranks in effect when the teacher took the assessment.~~ Once a classroom teacher is deemed eligible by the school district, ~~including teachers deemed eligible in the 2015-2016 fiscal year,~~ the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

(c) Notwithstanding the requirements of this subsection, for the 2017-2018, 2018-2019, and 2019-2020 school years, any classroom teacher who:

1. Was evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded shall receive a scholarship of \$1200, including a classroom teacher who received an award pursuant to paragraph (a).

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2. Was evaluated as effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded a scholarship of up to \$800. If the number of eligible classroom teachers under this subparagraph exceeds the total allocation, the department shall prorate the per-teacher scholarship amount.

This paragraph expires July 1, 2020.

(4) Annually, by December 1, each school district shall submit to the department:

(a) The number of eligible classroom teachers who qualify for the scholarship.

(b) The name and master school identification number (MSID) of each school in the district to which an eligible classroom teacher is assigned.

(c) The name of the school principal of each eligible classroom teacher's school if he or she has served as the school's principal for at least 2 consecutive school years including the current school year.

(5) Annually, by February 1, the department shall disburse scholarship funds to each school district for each eligible classroom teacher to receive a scholarship in accordance with this section ~~as provided in the General Appropriations Act. A scholarship in the amount provided in the General Appropriations Act shall be awarded to every eligible classroom teacher. If the~~

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~~number of eligible classroom teachers exceeds the total
appropriation authorized in the General Appropriations Act, the
department shall prorate the per-teacher scholarship amount.~~

~~(8) This section expires July 1, 2017.~~

Section 46. Section 1012.732, Florida Statutes, is created
to read:

1012.732 The Florida Best and Brightest Principal
Scholarship Program.—

(1) The Legislature recognizes that the most effective
school principals establish a safe and supportive school
environment for students and faculty. Research shows that these
principals increase student learning by providing opportunities
for the professional growth, collaboration, and autonomy that
classroom teachers need to become and remain highly effective
educational professionals. As a result, these principals are
able to recruit and retain more of the best classroom teachers
and improve student outcomes at their schools, including schools
serving low-income and high-need student populations. Therefore,
it is the intent of the Legislature to designate school
principals whose school faculty has a high percentage of
classroom teachers who are designated as Florida's best and
brightest teacher scholars pursuant to s. 1012.731 as Florida's
best and brightest principals.

(2) There is created the Florida Best and Brightest
Principal Scholarship Program to be administered by the

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Department of Education. The program shall provide categorical funding for scholarships to be awarded to school principals, as defined in s. 1012.01(3)(c)1., who have recruited and retained a high percentage of best and brightest teachers.

(3) A school principal identified pursuant to s. 1012.731(4)(c) is eligible to receive a scholarship under this section if he or she has served as school principal at his or her school for at least 2 consecutive school years including the current school year and his or her school has a ratio of best and brightest teachers to other classroom teachers that is at the 80th percentile or higher for schools within the same grade group, statewide, including elementary schools, middle schools, high schools, and schools with a combination of grade levels.

(4) Annually, by February 1, the department shall identify eligible school principals and disburse funds to each school district for each eligible school principal to receive a scholarship. A scholarship of \$5,000 must be awarded to every eligible school principal assigned to a Title I school and a scholarship of \$4,000 to every eligible school principal who is not assigned to a Title I school.

(5) Annually, by April 1, each school district must award a scholarship to each eligible school principal.

(6) A school district must provide a best and brightest principal with the additional authority and responsibilities provided in s. 1012.28(8) for a minimum of 2 years.

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5125 (7) For purposes of this section, the term "school
5126 district" includes the Florida School for the Deaf and the Blind
5127 and charter school governing boards.

5128 Section 47. Paragraphs (i) and (j) of subsection (2) of
5129 section 1002.385, Florida Statutes, are redesignated as
5130 paragraphs (j) and (k), respectively, paragraph (d) of
5131 subsection (2), subsection (5), paragraph (b) of subsection (6),
5132 subsection (8), paragraphs (e) and (f) of subsection (11),
5133 paragraph (j) of subsection (12), and paragraph (a) of
5134 subsection (13) are amended, and a new paragraph (i) is added to
5135 subsection (2) of that section, to read:

5136 1002.385 The Gardiner Scholarship.—

5137 (2) DEFINITIONS.—As used in this section, the term:

5138 (d) "Disability" means, for a 3- or 4-year-old child or
5139 for a student in kindergarten to grade 12, autism spectrum
5140 disorder, as defined in the Diagnostic and Statistical Manual of
5141 Mental Disorders, Fifth Edition, published by the American
5142 Psychiatric Association; cerebral palsy, as defined in s.
5143 393.063(6); Down syndrome, as defined in s. 393.063(15); an
5144 intellectual disability, as defined in s. 393.063(24); Phelan-
5145 McDermid syndrome, as defined in s. 393.063(28); Prader-Willi
5146 syndrome, as defined in s. 393.063(29); spina bifida, as defined
5147 in s. 393.063(40); being a high-risk child, as defined in s.
5148 393.063(23) (a); muscular dystrophy; and Williams syndrome or
5149 identification as dual sensory impaired, as defined by rules of

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the State Board of Education and evidenced by reports from the
local school district.

(i) "Inactive" means that no eligible expenditures have
been made from an account funded pursuant to paragraph (13)(d).

(5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must
be used to meet the individual educational needs of an eligible
student and may be spent for the following purposes:

(a) Instructional materials, including digital devices,
digital periphery devices, and assistive technology devices that
allow a student to access instruction or instructional content
and training on the use of and maintenance agreements for these
devices.

(b) Curriculum as defined in paragraph (2)(b).

(c) Specialized services by approved providers or by a
hospital in this state that are selected by the parent. These
specialized services may include, but are not limited to:

1. Applied behavior analysis services as provided in ss.
627.6686 and 641.31098.

2. Services provided by speech-language pathologists as
defined in s. 468.1125.

3. Occupational therapy services as defined in s. 468.203.

4. Services provided by physical therapists as defined in
s. 486.021.

5. Services provided by listening and spoken language
specialists and an appropriate acoustical environment for a

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child who is deaf or hard of hearing and who has received an implant or assistive hearing device.

(d) Enrollment in, or tuition or fees associated with enrollment in, a home education program, an eligible private school, an eligible postsecondary educational institution or a program offered by the institution, a private tutoring program authorized under s. 1002.43, a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a), the Florida Virtual School as a private paying student, or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

(e) Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.

(f) Contributions to the Stanley G. Tate Florida Prepaid College Program pursuant to s. 1009.98 or the Florida College Savings Program pursuant to s. 1009.981, for the benefit of the eligible student.

(g) Contracted services provided by a public school or school district, including classes. A student who receives services under a contract under this paragraph is not considered enrolled in a public school for eligibility purposes as specified in subsection (4).

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(h) Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56; a person who holds an adjunct teaching certificate pursuant to s. 1012.57; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5). As used in this paragraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(13)(e).

(i) Fees for specialized summer education programs.

(j) Fees for specialized after-school education programs.

(k) Transition services provided by job coaches.

(l) Fees for an annual evaluation of educational progress by a state-certified teacher under s. 1002.41(1)(c), if this option is chosen for a home education student.

(m) Tuition and fees associated with programs offered by Voluntary Prekindergarten Education Program providers approved pursuant to s. 1002.55 and school readiness providers approved pursuant to s. 1002.88.

(n) Fees for services provided at a center that is a member of the Professional Association of Therapeutic Horsemanship International.

(o) Fees for services provided by a therapist who is certified by the Certification Board for Music Therapists or credentialed by the Art Therapy Credentials Board, Inc.

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5225 A provider of any services receiving payments pursuant to this
5226 subsection may not share, refund, or rebate any moneys from the
5227 Gardiner Scholarship with the parent or participating student in
5228 any manner. A parent, student, or provider of any services may
5229 not bill an insurance company, Medicaid, or any other agency for
5230 the same services that are paid for using Gardiner Scholarship
5231 funds.

5232 (6) TERM OF THE PROGRAM.—For purposes of continuity of
5233 educational choice and program integrity:

5234 (b)1. A student's scholarship account must be closed and
5235 any remaining funds, including, but not limited to,
5236 contributions made to the Stanley G. Tate Florida Prepaid
5237 College Program or earnings from or contributions made to the
5238 Florida College Savings Program using program funds pursuant to
5239 paragraph (5)(f), shall revert to the state after ~~upon~~:

5240 a. Denial or revocation of program eligibility by the
5241 commissioner for fraud or abuse, including, but not limited to,
5242 the student or student's parent accepting any payment, refund,
5243 or rebate, in any manner, from a provider of any services
5244 received pursuant to subsection (5); ~~or~~

5245 b. ~~After~~ Any period of 3 consecutive years after high
5246 school completion or graduation during which the student has not
5247 been enrolled in an eligible postsecondary educational
5248 institution or a program offered by the institution; or

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5249 c. Three consecutive fiscal years in which an account has
5250 been inactive.

5251 2. The commissioner must notify the parent and the
5252 organization when a Gardiner Scholarship account is closed and
5253 program funds revert to the state.

5254 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An
5255 eligible private school may be sectarian or nonsectarian and
5256 shall:

5257 (a) Comply with all requirements for private schools
5258 participating in state school choice scholarship programs
5259 pursuant to s. 1002.421.

5260 (b) Provide to the organization, upon request, all
5261 documentation required for the student's participation,
5262 including the private school's and student's fee schedules.

5263 (c) Be academically accountable to the parent for meeting
5264 the educational needs of the student by:

5265 1. At a minimum, annually providing to the parent a
5266 written explanation of the student's progress.

5267 2. Annually administering or making provision for students
5268 participating in the program in grades 3 through 10 to take one
5269 of the nationally norm-referenced tests identified by the
5270 Department of Education or the statewide assessments pursuant to
5271 s. 1008.22. Students with disabilities for whom standardized
5272 testing is not appropriate are exempt from this requirement. A

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participating private school shall report a student's scores to the parent.

3. Cooperating with the scholarship student whose parent chooses to have the student participate in the statewide assessments pursuant to s. 1008.22 or, if a private school chooses to offer the statewide assessments, administering the assessments at the school.

a. A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.

b. A participating private school shall submit a request in writing to the Department of Education by March 1 of each year in order to administer the statewide assessments in the subsequent school year.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.

(e) Provide a report from ~~Annually contract with~~ an independent certified public accountant who performs ~~to perform~~ the agreed-upon procedures developed under s. 1002.395(6)(o) ~~and produce a report of the results~~ if the private school receives more than \$250,000 in funds from scholarships awarded under this section in ~~the 2014-2015 state fiscal year or~~ a state fiscal year ~~thereafter~~. A private school subject to this paragraph must annually submit the report by September 15, ~~2015, and annually~~

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5298 ~~thereafter~~ to the organization that awarded the majority of the
5299 school's scholarship funds. The agreed-upon procedures must be
5300 conducted in accordance with attestation standards established
5301 by the American Institute of Certified Public Accountants.

5302
5303 ~~If The inability of~~ a private school is unable to meet the
5304 requirements of this subsection or has consecutive years of
5305 material exceptions listed in the report required under
5306 paragraph (e), the commissioner may determine that constitutes a
5307 ~~basis for the ineligibility of the private school is ineligible~~
5308 to participate in the program ~~as determined by the commissioner.~~

5309 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
5310 PARTICIPATION.—A parent who applies for program participation
5311 under this section is exercising his or her parental option to
5312 determine the appropriate placement or the services that best
5313 meet the needs of his or her child. The scholarship award for a
5314 student is based on a matrix that assigns the student to support
5315 Level III services. If a parent receives an IEP and a matrix of
5316 services from the school district pursuant to subsection (7),
5317 the amount of the payment shall be adjusted as needed, when the
5318 school district completes the matrix.

5319 (e) The parent must annually renew participation in the
5320 program. Notwithstanding any changes to the student's IEP, a
5321 student who was previously eligible for participation in the
5322 program shall remain eligible to apply for renewal. However, for

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a high-risk child to continue to participate in the program in the school year after he or she reaches 6 years of age, the child's application for renewal of program participation must contain documentation that the child has a disability defined in paragraph (2)(d) other than high-risk status.

(f) The parent is responsible for procuring the services necessary to educate the student. If a parent does not procure the necessary educational services for the student and the student's account has been inactive for 2 consecutive fiscal years, the student is ineligible for additional scholarship payments until the scholarship funding organization verifies that expenditures from the account have occurred. When the student receives a Gardiner Scholarship, the district school board is not obligated to provide the student with a free appropriate public education. For purposes of s. 1003.57 and the Individuals with Disabilities in Education Act, a participating student has only those rights that apply to all other unilaterally parentally placed students, except that, when requested by the parent, school district personnel must develop an individual education plan or matrix level of services.

A parent who fails to comply with this subsection forfeits the Gardiner Scholarship.

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(12) OBLIGATIONS OF SCHOLARSHIP-FUNDING ORGANIZATIONS.—An organization may establish Gardiner Scholarships for eligible students by:

(j) Documenting each scholarship student's eligibility for a fiscal year before granting a scholarship for that fiscal year pursuant to paragraph (3)(b). A student is ineligible for a scholarship if the student's account has been inactive for 2 consecutive fiscal years. However, once an eligible expenditure is made pursuant to paragraph (11)(f), the student is eligible for a scholarship based on available funds.

(13) FUNDING AND PAYMENT.—

(a)1. The maximum funding amount granted for an eligible student with a disability, pursuant to subsection (3), shall be equivalent to the base student allocation in the Florida Education Finance Program multiplied by the appropriate cost factor for the educational program that ~~which~~ would have been provided for the student in the district school to which he or she would have been assigned, multiplied by the district cost differential.

2. In addition, an amount equivalent to a share of the guaranteed allocation for exceptional students in the Florida Education Finance Program shall be determined and added to the amount in subparagraph 1. The calculation shall be based on the methodology and the data used to calculate the guaranteed allocation for exceptional students for each district in chapter

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2000-166, Laws of Florida. Except as provided in subparagraph 3., the calculation shall be based on the student's grade, the matrix level of services, and the difference between the 2000-2001 basic program and the appropriate level of services cost factor, multiplied by the 2000-2001 base student allocation and the 2000-2001 district cost differential for the sending district. The calculated amount must also include an amount equivalent to the per-student share of supplemental academic instruction funds, instructional materials funds, technology funds, and other categorical funds as provided in the General Appropriations Act.

3. Beginning with the 2017-2018 fiscal year and each fiscal year thereafter, the calculation for a new student entering the program shall be based on the student's matrix level of services. The funding for a student without a matrix of services ~~Except as otherwise provided in subsection (7), the calculation for all students participating in the program shall be based on the matrix that assigns the student to support Level III of services. If a parent chooses to request and receive a matrix of services from the school district, when the school district completes the matrix, the amount of the payment shall be adjusted as needed.~~

Section 48. Subsection (6) is added to section 1003.455, Florida Statutes, to read:

1003.455 Physical education; assessment.—

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5396 (6) In addition to the requirements in subsection (3),
5397 each district school board shall provide at least 100 minutes of
5398 supervised, safe, and unstructured free-play recess each week
5399 for students in kindergarten through grade 5 so that there are
5400 at least 20 consecutive minutes of free-play recess per day.
5401 This requirement does not apply to charter schools.

5402 Section 49. Paragraph (a) of subsection (8) and subsection
5403 (11) of section 1002.37, Florida Statutes, are amended to read:

5404 1002.37 The Florida Virtual School.—

5405 (8)(a) The Florida Virtual School may provide full-time
5406 and part-time instruction for students in kindergarten through
5407 grade 12. ~~To receive part-time instruction in kindergarten~~
5408 ~~through grade 5, a student must meet at least one of the~~
5409 ~~eligibility criteria in s. 1002.455(2).~~

5410 ~~(11) The Auditor General shall conduct an operational~~
5411 ~~audit of the Florida Virtual School, including Florida Virtual~~
5412 ~~School Global. The scope of the audit shall include, but not be~~
5413 ~~limited to, the administration of responsibilities relating to~~
5414 ~~personnel; procurement and contracting; revenue production;~~
5415 ~~school funds, including internal funds; student enrollment~~
5416 ~~records; franchise agreements; information technology~~
5417 ~~utilization, assets, and security; performance measures and~~
5418 ~~standards; and accountability. The final report on the audit~~
5419 ~~shall be submitted to the President of the Senate and the~~

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~~Speaker of the House of Representatives no later than January 31, 2014.~~

Section 50. Section 1002.455, Florida Statutes, is amended to read:

1002.455 Student eligibility for K-12 virtual instruction.—

~~(1) All students, including home education and private school students, are eligible to participate in any of the following A student may participate in virtual instruction in the school district in which he or she resides if the student meets the eligibility criteria in subsection (2).~~

~~(2) A student is eligible to participate in virtual instruction if:~~

~~(a) The student spent the prior school year in attendance at a public school in the state and was enrolled and reported by the school district for funding during October and February for purposes of the Florida Education Finance Program surveys;~~

~~(b) The student is a dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state from another state or from a foreign country pursuant to a permanent change of station order;~~

~~(c) The student was enrolled during the prior school year in a virtual instruction program under s. 1002.45 or a full-time Florida Virtual School program under s. 1002.37(8)(a);~~

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~~(d) The student has a sibling who is currently enrolled in a virtual instruction program and the sibling was enrolled in that program at the end of the prior school year;~~

~~(e) The student is eligible to enter kindergarten or first grade; or~~

~~(f) The student is eligible to enter grades 2 through 5 and is enrolled full-time in a school district virtual instruction program, virtual charter school, or the Florida Virtual School.~~

~~(3) The virtual instruction options for which this eligibility section applies include:~~

~~(1)(a) School district operated part-time or full-time kindergarten through grade 12 virtual instruction programs under s. 1002.45(1)(b) for students enrolled in the school district.~~

~~(2)(b) Full-time virtual charter school instruction authorized under s. 1002.33 to students within the school district or to students in other school districts throughout the state pursuant to s. 1002.31.~~

~~(3)(c) Virtual courses offered in the course code directory to students within the school district or to students in other school districts throughout the state pursuant to s. 1003.498.~~

~~(4) Florida Virtual School instructional services authorized under s. 1002.37.~~

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Section 51. Subsection (5) and paragraph (b) of subsection (6) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(5) STUDENT ELIGIBILITY.—A student may enroll in a virtual instruction program provided by the school district or by a virtual charter school ~~operated in the district in which he or she resides if the student meets eligibility requirements for virtual instruction~~ pursuant to s. 1002.455.

(6) STUDENT PARTICIPATION REQUIREMENTS.—Each student enrolled in a virtual instruction program or virtual charter school must:

(b) Take statewide assessments pursuant to s. 1008.22. ~~Statewide assessments may be administered state assessment tests~~ within the school district in which such student resides, or as specified in the contract in accordance with s. 1008.24(3). ~~If requested by the approved provider or virtual charter school, the district of residence which~~ must provide the student with access to the district's testing facilities.

Section 52. Paragraph (c) of subsection (2) and subsection (11) of section 1002.20, Florida Statutes, are amended, paragraph (d) of subsection (2) is redesignated as paragraph (e), a new paragraph (d) is added to subsection (2), and a new paragraph (m) is added to subsection (3), to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information

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5493 regarding their child's academic progress and must be informed
5494 of ways they can help their child to succeed in school. K-12
5495 students and their parents are afforded numerous statutory
5496 rights including, but not limited to, the following:

5497 (2) ATTENDANCE.—

5498 (c) *Absence for religious purposes.*—A parent of a public
5499 school student may request and be granted permission for absence
5500 of the student from school for religious instruction or
5501 religious holidays, in accordance with the provisions of s.
5502 1003.21(2)(b)1 ~~1003.21(2)(b)~~.

5503 (d) *Absence for treatment of autism spectrum disorder.*—A
5504 parent of a public school student may request and be granted
5505 permission for absence of the student from school for an
5506 appointment scheduled to receive a therapy service provided by a
5507 licensed health care practitioner or behavior analyst certified
5508 pursuant to s. 393.17 for the treatment of autism spectrum
5509 disorder pursuant to ss. 1003.21(2)(b)2. and 1003.24(4).

5510 (3) HEALTH ISSUES.—

5511 (m) *Sun-protective measures in school.*—A student may
5512 possess and use a topical sunscreen product while on school
5513 property or at a school-sponsored event or activity without a
5514 physician's note or prescription if the product is regulated by
5515 the United States Food and Drug Administration for over-the-
5516 counter use to limit ultraviolet light-induced skin damage.

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(11) STUDENTS WITH READING DEFICIENCIES.—The parent of any K-3 student who exhibits a substantial reading deficiency shall be immediately notified of the student's deficiency pursuant to s. 1008.25(5) and ~~with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading;~~ shall be consulted in the development of a plan, as described in s. 1008.25(4)(b); ~~and shall be informed that the student will be given intensive reading instruction until the deficiency is corrected. This subsection operates in addition to the remediation and notification provisions contained in s. 1008.25 and in no way reduces the rights of a parent or the responsibilities of a school district under that section.~~

Section 53. Subsection (2) of section 1002.69, Florida Statutes, is amended to read:

1002.69 Statewide kindergarten screening; kindergarten readiness rates; state-approved prekindergarten enrollment screening; good cause exemption.—

(2) The statewide kindergarten screening shall provide objective data concerning each student's readiness for kindergarten and progress in attaining the performance standards adopted by the office under s. 1002.67(1). Data from the screening, along with other available data, must be used to identify students in need of intervention and support pursuant to s. 1008.25(5).

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Section 54. Subsection (3), paragraphs (a) and (c) of subsection (5), paragraph (b) of subsection (6), subsection (7), and paragraph (a) of subsection (8) of section 1008.25, Florida Statutes, are amended, paragraph (c) is added to subsection (4), to read:

1008.25 Public school student progression; student support; reporting requirements.—

(3) ALLOCATION OF RESOURCES.—District school boards shall allocate remedial and supplemental instruction resources to students in the following priority:

(a) Students in kindergarten through grade 3 who have a substantial deficiency ~~are deficient~~ in reading as determined in paragraph (5) (a) by the end of grade 3.

(b) Students who fail to meet performance levels required for promotion consistent with the district school board's plan for student progression required in subsection (2) paragraph ~~(2) (b).~~

(4) ASSESSMENT AND SUPPORT.—

(c) A student who has a substantial reading deficiency as determined in paragraph (5) (a) must be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

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(a) Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading, based upon screening, diagnostic, progress monitoring, or assessment data; locally determined or statewide assessments; conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations, must be provided given intensive, explicit, systematic, and multisensory reading interventions instruction immediately following the identification of the reading deficiency. A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. The student's reading proficiency must be monitored and the intensive interventions instruction must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in kindergarten through grade 3 has a substantial deficiency in reading.

(c) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and

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5591 explanation, in terms understandable to the parent, of the exact
5592 nature of the student's difficulty in learning and lack of
5593 achievement in reading.

5594 2. A description of the current services that are provided
5595 to the child.

5596 3. A description of the proposed intensive interventions
5597 ~~supplemental instructional services~~ and supports that will be
5598 provided to the child that are designed to remediate the
5599 identified area of reading deficiency.

5600 4. That if the child's reading deficiency is not
5601 remediated by the end of grade 3, the child must be retained
5602 unless he or she is exempt from mandatory retention for good
5603 cause.

5604 5. Strategies, including multisensory strategies, through
5605 a read-at-home plan the parent can for parents to use in helping
5606 his or her their child succeed in reading proficiency.

5607 6. That the statewide, standardized English Language Arts
5608 assessment is not the sole determiner of promotion and that
5609 additional evaluations, portfolio reviews, and assessments are
5610 available to the child to assist parents and the school district
5611 in knowing when a child is reading at or above grade level and
5612 ready for grade promotion.

5613 7. The district's specific criteria and policies for a
5614 portfolio as provided in subparagraph (6)(b)4. and the evidence
5615 required for a student to demonstrate mastery of Florida's

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academic standards for English Language Arts. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school immediately begin collecting evidence for a portfolio.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

(6) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5) (b), for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other

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5640 Languages program based on the initial date of entry into a
5641 school in the United States.

5642 2. Students with disabilities whose individual education
5643 plan indicates that participation in the statewide assessment
5644 program is not appropriate, consistent with the requirements of
5645 s. 1008.212.

5646 3. Students who demonstrate an acceptable level of
5647 performance on an alternative standardized reading or English
5648 Language Arts assessment approved by the State Board of
5649 Education.

5650 4. A student who demonstrates through a student portfolio
5651 that he or she is performing at least at Level 2 on the
5652 statewide, standardized English Language Arts assessment.

5653 5. Students with disabilities who take the statewide,
5654 standardized English Language Arts assessment and who have an
5655 individual education plan or a Section 504 plan that reflects
5656 that the student has received intensive instruction in reading
5657 or English Language Arts for more than 2 years but still
5658 demonstrates a deficiency and was previously retained in
5659 kindergarten, grade 1, grade 2, or grade 3.

5660 6. Students who have received intensive reading
5661 intervention for 2 or more years but still demonstrate a
5662 deficiency in reading and who were previously retained in
5663 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
5664 years. A student may not be retained more than once in grade 3.

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~~7. Students who have received intensive remediation in reading or English Language Arts for 2 or more years but still demonstrate a deficiency and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers.~~

(7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(a) Students retained under ~~the provisions of~~ paragraph (5)(b) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions, as identified by a valid and reliable diagnostic assessment. This intensive intervention must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district. ~~effective instructional strategies,~~

2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention

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~~strategies under subparagraph 1, and appropriate teaching methodologies necessary to assist those students in becoming successful readers, able to read at or above grade level, and ready for promotion to the next grade.~~

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

~~(b) — Each school district shall:~~

~~1. Provide third grade students who are retained under the provisions of paragraph (5) (b) with intensive instructional services and supports to remediate the identified areas of reading deficiency, including participation in the school district's summer reading camp as required under paragraph (a), and a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:~~

~~a. Integration of content-rich texts in science and social studies ~~content~~ within the 90-minute block.~~

~~b. Small group instruction.~~

~~c. Reduced teacher-student ratios.~~

~~d. More frequent progress monitoring.~~

~~e. Tutoring or mentoring.~~

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5714 f. Transition classes containing 3rd and 4th grade
5715 students.

5716 g. Extended school day, week, or year.

5717 (b) Each school district shall:

5718 1.2. Provide written notification to the parent of a
5719 student who is retained under ~~the provisions of~~ paragraph (5) (b)
5720 that his or her child has not met the proficiency level required
5721 for promotion and the reasons the child is not eligible for a
5722 good cause exemption as provided in paragraph (6) (b). The
5723 notification must comply with paragraph (5) (c) ~~the provisions of~~
5724 ~~s. 1002.20 (15)~~ and must include a description of proposed
5725 interventions and supports that will be provided to the child to
5726 remediate the identified areas of reading deficiency.

5727 2.3. Implement a policy for the midyear promotion of a
5728 student retained under ~~the provisions of~~ paragraph (5) (b) who
5729 can demonstrate that he or she is a successful and independent
5730 reader and performing at or above grade level in reading or,
5731 upon implementation of English Language Arts assessments,
5732 performing at or above grade level in English Language Arts.
5733 Tools that school districts may use in reevaluating a student
5734 retained may include subsequent assessments, alternative
5735 assessments, and portfolio reviews, in accordance with rules of
5736 the State Board of Education. Students promoted during the
5737 school year after November 1 must demonstrate proficiency levels
5738 in reading equivalent to the level necessary for the beginning

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of grade 4. The rules adopted by the State Board of Education must include standards that provide a reasonable expectation that the student's progress is sufficient to master appropriate grade 4 level reading skills.

3.4. Provide students who are retained under ~~the provisions of~~ paragraph (5) (b), including students participating in the school district's summer reading camp under subparagraph (a)2., with a highly effective teacher as determined by the teacher's performance evaluation under s. 1012.34, and, beginning July 1, 2020, the teacher must also be certified or endorsed in reading.

4.5. Establish at each school, when applicable, an intensive reading acceleration course ~~Class~~ for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2 students who subsequently score Level 1 on the required statewide, standardized assessment identified in s. 1008.22. The focus of the Intensive Acceleration Class shall be to increase a child's reading and English Language Arts skill level at least two grade levels in 1 school year. The intensive reading acceleration course must provide the following ~~Class shall:~~

a. Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas through content-rich texts.

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b. Small group instruction.

c. Reduced teacher-student ratios.

d. The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.

e. A read-at-home plan.

~~a. Be provided to a student in grade 3 who scores Level 1 on the statewide, standardized English Language Arts assessment and who was retained in grade 3 the prior year because of scoring Level 1.~~

~~b. Have a reduced teacher-student ratio.~~

~~c. Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas.~~

~~d. Use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year.~~

~~e. Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.~~

(8) ANNUAL REPORT.—

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(a) In addition to the requirements in paragraph (5) (b), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student's results on each statewide, standardized assessment. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5) (a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

Section 55. Subsection (2) of section 1011.67, Florida Statutes, is amended to read:

1011.67 Funds for instructional materials.—

(2) Annually by July 1 and before ~~prior to~~ the release of instructional materials funds, each district school superintendent shall certify to the Commissioner of Education that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including. ~~The report shall include~~ verification that training was provided; and that the materials are being implemented as designed; and, beginning July 1, 2021, for core reading materials and reading intervention

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5813 materials used in kindergarten through grade 5, that the
5814 materials meet the requirements of s. 1001.215(7). This
5815 paragraph does not preclude school districts from purchasing or
5816 using other materials to supplement reading instruction and
5817 provide additional skills practice.

5818 Section 56. Subsection (8) is added to section 1002.51,
5819 Florida Statutes, to read:

5820 1002.51 Definitions.—As used in this part, the term:

5821 (8) "Public school prekindergarten provider" includes a
5822 traditional public school or a charter school that is eligible
5823 to deliver the school-year prekindergarten program under s.
5824 1002.63 or the summer prekindergarten program under s. 1002.61.

5825 Section 57. Paragraph (b) of subsection (2) of section
5826 1003.21, Florida Statutes, is amended to read:

5827 1003.21 School attendance.—

5828 (2)

5829 (b) Each district school board, in accordance with rules
5830 of the State Board of Education, shall adopt policies
5831 authorizing a policy that authorizes a parent to request and be
5832 granted permission for absence of a student from school for:

5833 1. Religious instruction or religious holidays.

5834 2. An appointment scheduled to receive a therapy service
5835 provided by a licensed health care practitioner or behavior
5836 analyst certified pursuant to s. 393.17 for the treatment of

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5837 autism spectrum disorder, including, but not limited to, applied
5838 behavioral analysis, speech therapy, and occupational therapy.

5839 Section 58. Subsection (4) of section 1003.24, Florida
5840 Statutes, is amended to read:

5841 1003.24 Parents responsible for attendance of children;
5842 attendance policy.—Each parent of a child within the compulsory
5843 attendance age is responsible for the child's school attendance
5844 as required by law. The absence of a student from school is
5845 prima facie evidence of a violation of this section; however,
5846 criminal prosecution under this chapter may not be brought
5847 against a parent until the provisions of s. 1003.26 have been
5848 complied with. A parent of a student is not responsible for the
5849 student's nonattendance at school under any of the following
5850 conditions:

5851 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
5852 Attendance was impracticable or inadvisable on account of
5853 sickness or injury, as attested to by a written statement of a
5854 licensed practicing physician, or was impracticable because of
5855 some other stated insurmountable condition as defined by and
5856 attested to in accordance with rules of the State Board of
5857 Education. If a student is continually sick and repeatedly
5858 absent from school, he or she must be under the supervision of a
5859 physician, or if the absence is related to the student having
5860 autism spectrum disorder, receiving services from a licensed
5861 health care practitioner or behavior analyst certified pursuant

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5862 | to s. 393.17, in order to receive an excuse from attendance.

5863 | Such excuse provides that a student's condition justifies
5864 | absence for more than the number of days permitted by the
5865 | district school board.

5866 |
5867 | Each district school board shall establish an attendance policy
5868 | that includes, but is not limited to, the required number of
5869 | days each school year that a student must be in attendance and
5870 | the number of absences and tardinesses after which a statement
5871 | explaining such absences and tardinesses must be on file at the
5872 | school. Each school in the district must determine if an absence
5873 | or tardiness is excused or unexcused according to criteria
5874 | established by the district school board.

5875 | Section 59. Paragraph (c) of subsection (1) of section
5876 | 1003.4156, Florida Statutes, is amended to read:

5877 | 1003.4156 General requirements for middle grades
5878 | promotion.—

5879 | (1) In order for a student to be promoted to high school
5880 | from a school that includes middle grades 6, 7, and 8, the
5881 | student must successfully complete the following courses:

5882 | ~~(e) One course in career and education planning to be~~
5883 | ~~completed in 6th, 7th, or 8th grade. The course may be taught by~~
5884 | ~~any member of the instructional staff. At a minimum, the course~~
5885 | ~~must be Internet-based, easy to use, and customizable to each~~
5886 | ~~student and include research-based assessments to assist~~

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~~students in determining educational and career options and goals. In addition, the course must result in a completed personalized academic and career plan for the student; must emphasize the importance of entrepreneurship skills; must emphasize technology or the application of technology in career fields; and, beginning in the 2014-2015 academic year, must include information from the Department of Economic Opportunity's economic security report as described in s. 445.07. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the diploma designation options provided under s. 1003.4285; high school assessment and college entrance test requirements; Florida Bright Futures Scholarship Program requirements; state university and Florida College System institution admission requirements; available opportunities to earn college credit in high school, including Advanced Placement courses; the International Baccalaureate Program; the Advanced International Certificate of Education Program; dual enrollment, including career dual enrollment; and career education courses, including career-themed courses and courses that lead to industry certification pursuant to s. 1003.492 or s. 1008.44.~~

~~Each school must inform parents about the course curriculum and activities. Each student shall complete a personal education~~

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~~plan that must be signed by the student and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course taking patterns.~~

Section 60. Subsection (3) of section 1003.57, Florida Statutes, is amended to read:

1003.57 Exceptional students instruction.—

(3)(a) For purposes of this subsection and subsection (4), the term:

1. "Agency" means the Department of Children and Families or its contracted lead agency, the Agency for Persons with Disabilities, and the Agency for Health Care Administration.

2. "Exceptional student" means an exceptional student, as defined in s. 1003.01, who has a disability.

3. "Receiving school district" means the district in which a private residential care facility is located.

4. "Placement" means the funding or arrangement of funding by an agency for all or a part of the cost for an exceptional student to reside in a private residential care facility and the placement crosses school district lines.

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(b) Within 10 business days after an exceptional student is placed in a private residential care facility by an agency, the agency or private residential care facility licensed by the agency, as appropriate, shall provide written notification of the placement to the school district where the student is currently counted for funding purposes under s. 1011.62 and the receiving school district. The exceptional student shall be enrolled in school and receive a free and appropriate public education, special education, and related services while the notice and procedures regarding payment are pending. This paragraph applies when the placement is for the primary purpose of addressing residential or other noneducational needs and the placement crosses school district lines.

(c) Within 10 business days after receiving the notification, the receiving school district must review the student's individual educational plan (IEP) to determine if the student's IEP can be implemented by the receiving school district or by a provider or facility under contract with the receiving school district. The receiving school district shall:

1. Provide educational instruction to the student;
2. Contract with another provider or facility to provide the educational instruction; or
3. Contract with the private residential care facility in which the student resides to provide the educational instruction; ~~or~~

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5961 ~~4. Decline to provide or contract for educational~~
5962 ~~instruction.~~

5963
5964 ~~If the receiving school district declines to provide or contract~~
5965 ~~for the educational instruction, the school district in which~~
5966 ~~the legal residence of the student is located shall provide or~~
5967 ~~contract for the educational instruction to the student. The~~
5968 ~~receiving school district providing that provides educational~~
5969 ~~instruction or contracting contracts to provide educational~~
5970 ~~instruction shall report the student for funding purposes~~
5971 ~~pursuant to s. 1011.62.~~

5972 (d)1. The Department of Education, in consultation with
5973 the agencies and school districts, shall develop procedures for
5974 written notification to school districts regarding the placement
5975 of an exceptional student in a residential care facility. The
5976 procedures must:

5977 a. Provide for written notification of a placement that
5978 crosses school district lines; and

5979 b. Identify the entity responsible for the notification
5980 for each facility that is operated, licensed, or regulated by an
5981 agency.

5982 2. The State Board of Education shall adopt the procedures
5983 by rule pursuant to ss. 120.536(1) and 120.54, and the agencies
5984 shall implement the procedures.
5985

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The requirements of paragraphs (c) and (d) do not apply to written agreements among school districts which specify each school district's responsibility for providing and paying for educational services to an exceptional student in a residential care facility. However, each agreement must require a school district to review the student's IEP within 10 business days after receiving the notification required under paragraph (b).

Section 61. Paragraph (a) of subsection (3) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(3)(a) Except for a school district or a consortium of school districts that implements an instructional materials program pursuant to s. 1006.283 ~~Beginning with the 2015-2016 fiscal year,~~ each district school board shall use ~~at least 50 percent of the annual allocation~~ only for the purchase of ~~digital or electronic~~ instructional materials that align with state standards and are included on the state-adopted list, except as otherwise authorized in paragraphs (b) and (c).

Section 62. Subsections (1) and (4) of section 1009.60, Florida Statutes, are amended to read:

1009.60 Minority teacher education scholars program.—There is created the minority teacher education scholars program, which is a collaborative performance-based scholarship program

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for African-American, Hispanic-American, Asian-American, and Native American students. The participants in the program include Florida's Florida College System institutions and its public and private universities that have teacher education programs.

(1) The minority teacher education scholars program shall provide an annual scholarship in an amount that shall be prorated based on available appropriations and may not exceed \$4,000 for each approved minority teacher education scholar who is enrolled in one of Florida's public or private colleges or universities, in the junior year and is admitted into a teacher education program, and has not earned more than 18 credit hours of upper-division-level courses in education.

(4) A student may receive a scholarship from the program for 3 consecutive years if the student remains enrolled full-time in the program and makes satisfactory progress toward a baccalaureate degree with a major in education or a graduate degree with a major in education, leading to initial certification.

Section 63. Paragraph (a) of subsection (2) of section 1009.605, Florida Statutes, is amended to read:

1009.605 Florida Fund for Minority Teachers, Inc.—

(2)(a) The corporation shall submit an annual budget projection to the Department of Education to be included in the annual legislative budget request. The projection must be based

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on the cost to award up to 350 scholarships to new scholars ~~in the junior year~~ and up to 350 renewal scholarships ~~to the 350 rising seniors~~.

Section 64. Committee on Early Grade Success.—The Committee on Early Grade Success, a committee as defined in s. 20.03, Florida Statutes, is created within the Department of Education to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the Voluntary Prekindergarten Education Program, and the Kindergarten Readiness Assessment and, except as otherwise provided in this section, shall operate consistent with s. 20.052, Florida Statutes.

(1) The committee's proposal must include legislative recommendations for the design and implementation of a coordinated child assessment system, including, but not limited to:

(a) The purpose of a child assessment, with a focus on developmentally appropriate learning gains.

(b) Attributes for tool selection that provide guidance on procurement policies.

(c) An implementation schedule and protocols, including the frequency of data collection and a timeline for training to ensure reliability of the system.

(d) The methodology for collecting and analyzing data that define reporting requirements.

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6061 (e) A budget for the system, including cost analyses for
6062 purchasing materials and the necessary technology, training to
6063 ensure reliability, and data system management.

6064 (f) Considerations for student privacy and tracking child
6065 development over time.

6066 (2) The committee is composed of 17 members who are
6067 residents of the state and appointed as follows:

6068 (a) Three members appointed by the Governor:

6069 1. One representative from the Office of Early Learning.

6070 2. One representative from the Department of Education.

6071 3. One parent of a child who is 3 to 6 years of age.

6072 (b) Fourteen members jointly appointed by the President of
6073 the Senate and the Speaker of the House of Representatives:

6074 1. One representative of an urban school district.

6075 2. One representative of a rural school district.

6076 3. One representative of an urban early learning
6077 coalition.

6078 4. One representative of a rural early learning coalition.

6079 5. One representative of an early learning provider.

6080 6. One representative of a faith-based early learning
6081 provider.

6082 7. One representative who is a kindergarten teacher with
6083 at least 5 years of teaching experience.

6084 8. One representative who is an elementary school
6085 principal.

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6086 9. Four representatives with subject matter expertise in
6087 early learning, early grade success, or child assessments. The
6088 four representatives may not be direct stakeholders within the
6089 early learning or public school systems or potential recipients
6090 of a contract resulting from the committee's proposal.

6091 10. One member of the Senate.

6092 11. One member of the House of Representatives.

6093 (3) The committee shall elect a chair and vice chair. The
6094 chair must be one of the four members with subject matter
6095 expertise in early learning, early grade success, or child
6096 assessments. The vice chair must be a member appointed by the
6097 President of the Senate and the Speaker of the House of
6098 Representatives, who is not one of the four members who are
6099 subject matter experts in early learning, early grade success,
6100 or child assessments. Members of the committee shall serve
6101 without compensation but are entitled to reimbursement for per
6102 diem and travel expenses pursuant to s. 112.061, Florida
6103 Statutes.

6104 (4) The committee must meet at least three times and shall
6105 meet by teleconference or other electronic means, if possible,
6106 to reduce costs.

6107 (5) A majority of the members constitutes a quorum.

6108 (6) The University of Florida Lastinger Center for
6109 Learning shall provide the committee with staff necessary to
6110 assist the committee in the performance of its duties.

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6111 (7) The committee shall submit a report of its findings
6112 and recommendations to the Governor, the President of the
6113 Senate, and the Speaker of the House of Representatives by
6114 December 1, 2017. Upon submission of the report, the committee
6115 shall expire.

6116 (8) The State Board of Education may adopt rules to
6117 implement and administer this section.

6118 Section 65. Section 1013.101, Florida Statutes, is created
6119 to read:

6120 1013.101 Shared use agreements.—

6121 (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
6122 that greater public access to recreation and sports facilities
6123 is needed to reduce the impact of obesity, diabetes, and other
6124 chronic diseases on personal health and health care
6125 expenditures. Public schools are equipped with taxpayer-funded
6126 indoor and outdoor recreation facilities that offer easily
6127 accessible opportunities for physical activity for residents of
6128 the community. The Legislature also finds that it is the policy
6129 of the state for district school boards to allow the shared use
6130 of school buildings and property by adopting policies allowing
6131 for shared use and implementing shared use agreements with local
6132 governmental entities and nonprofit organizations. The
6133 Legislature intends to increase the number of school districts
6134 that open their playground facilities to community use outside
6135 of school hours.

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6136 (2) DEFINITIONS.—As used in this section, the term:

6137 (a) "High-need communities" means communities in which at
6138 least 50 percent of children are eligible to receive free or
6139 reduced-price meals at the school that will be the subject of
6140 the shared use agreement.

6141 (b) "Shared use" means allowing access to school
6142 playground facilities by community members for recreation or
6143 another purpose of importance to the community through a shared
6144 use agreement or a school district or school policy that opens
6145 school facilities, including, but not limited to charter schools
6146 and Florida College System institutions, for use by government
6147 or nongovernmental entities or the public.

6148 (c) "Shared use agreement" means a written agreement
6149 between a school district, a charter school, or a Florida
6150 College System institution, and a government or nongovernmental
6151 entity which defines the roles, responsibilities, terms, and
6152 conditions for community use of a school-owned facility for
6153 recreation or other purposes.

6154 (3) PROMOTION OF COMMUNITY USE OF SHARED FACILITIES.—The
6155 department shall provide technical assistance to school
6156 districts, including, but not limited to, individualized
6157 assistance, the creation of a shared use technical assistance
6158 toolkit containing useful information for school districts, and
6159 the development of a publicly accessible online database of
6160 shared use resources and existing shared use agreements.

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6161 Section 66. Shared Use Task Force.—The Shared Use Task
6162 Force, a task force as defined in s. 20.03, Florida Statutes, is
6163 created within the Department of Education. The task force is
6164 created to identify barriers in creating shared use agreements
6165 and to make recommendations to facilitate the shared use of
6166 school facilities generally and in high-need communities.

6167 (1) The task force is composed of seven members appointed
6168 by the department, as follows:

6169 (a) Two representatives from school districts, including
6170 one representative from school districts 1 through 33 and one
6171 representative from school districts 34 through 67;

6172 (b) One representative from a public health department;

6173 (c) Two representatives from community-based programs in
6174 high-need communities; and

6175 (d) Two representatives from recreational organizations.

6176 (2) The task force shall elect a chair and vice chair. The
6177 chair and vice chair may not be representatives from the same
6178 member category. Members of the task force shall serve without
6179 compensation, but are entitled to reimbursement for per diem and
6180 travel expenses pursuant to s. 112.061, Florida Statutes.

6181 (3) The task force shall meet by teleconference or other
6182 electronic means, if possible, to reduce costs.

6183 (4) The department shall provide the task force with staff
6184 necessary to assist the task force in the performance of its
6185 duties.

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6186 (5) The task force shall submit a report of its findings
6187 and recommendations to the President of the Senate and the
6188 Speaker of the House of Representatives by June 30, 2018. Upon
6189 submission of the report, the task force shall expire.

6190 Section 67. Paragraph (b) of subsection (1) of section
6191 125.901, Florida Statutes, is amended to read:

6192 125.901 Children's services; independent special district;
6193 council; powers, duties, and functions; public records
6194 exemption.—

6195 (1) Each county may by ordinance create an independent
6196 special district, as defined in ss. 189.012 and 200.001(8)(e),
6197 to provide funding for children's services throughout the county
6198 in accordance with this section. The boundaries of such district
6199 shall be coterminous with the boundaries of the county. The
6200 county governing body shall obtain approval, by a majority vote
6201 of those electors voting on the question, to annually levy ad
6202 valorem taxes which shall not exceed the maximum millage rate
6203 authorized by this section. Any district created pursuant to the
6204 provisions of this subsection shall be required to levy and fix
6205 millage subject to the provisions of s. 200.065. Once such
6206 millage is approved by the electorate, the district shall not be
6207 required to seek approval of the electorate in future years to
6208 levy the previously approved millage.

6209 (b) However, any county as defined in s. 125.011(1) may
6210 instead have a governing body consisting of 33 members,

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6211 including: the superintendent of schools, or his or her
6212 designee; two representatives of public postsecondary education
6213 institutions located in the county; the county manager or the
6214 equivalent county officer; the district administrator from the
6215 appropriate district of the Department of Children and Families,
6216 or the administrator's designee who is a member of the Senior
6217 Management Service or the Selected Exempt Service; the director
6218 of the county health department or the director's designee; the
6219 state attorney for the county or the state attorney's designee;
6220 the chief judge assigned to juvenile cases, or another juvenile
6221 judge who is the chief judge's designee and who shall sit as a
6222 voting member of the board, except that the judge may not vote
6223 or participate in setting ad valorem taxes under this section;
6224 an individual who is selected by the board of the local United
6225 Way or its equivalent; a member of a locally recognized faith-
6226 based coalition, selected by that coalition; a member of the
6227 local chamber of commerce, selected by that chamber or, if more
6228 than one chamber exists within the county, a person selected by
6229 a coalition of the local chambers; a member of the early
6230 learning coalition, selected by that coalition; a representative
6231 of a labor organization or union active in the county; a member
6232 of a local alliance or coalition engaged in cross-system
6233 planning for health and social service delivery in the county,
6234 selected by that alliance or coalition; a member of the local
6235 Parent-Teachers Association/Parent-Teacher-Student Association,

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selected by that association; a youth representative selected by the local school system's student government; a local school board member appointed by the chair of the school board; the mayor of the county or the mayor's designee; one member of the county governing body, appointed by the chair of that body; a member of the state Legislature who represents residents of the county, selected by the chair of the local legislative delegation; an elected official representing the residents of a municipality in the county, selected by the county municipal league; and 4 members-at-large, appointed to the council by the majority of sitting council members. The remaining 7 members shall be appointed by the Governor in accordance with procedures set forth in paragraph (a), except that the Governor may remove a member for cause or upon the written petition of the council. Appointments by the Governor must, to the extent reasonably possible, represent the geographic and demographic diversity of the population of the county. Members who are appointed to the council by reason of their position are not subject to the length of terms and limits on consecutive terms as provided in this section. The remaining appointed members of the governing body shall be appointed to serve 2-year terms, except that those members appointed by the Governor shall be appointed to serve 4-year terms, and the youth representative and the legislative delegate shall be appointed to serve 1-year terms. A member may be reappointed; however, a member may not serve for more than

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three consecutive terms. A member is eligible to be appointed again after a 2-year hiatus from the council.

Section 68. Section 1003.481, Florida Statutes, is created to read:

1003.481 Early Childhood Music Education Incentive Pilot Program.—

(1) Beginning with the 2017-2018 school year, the Early Childhood Music Education Incentive Pilot Program is created within the Department of Education for a period of 3 school years. The purpose of the pilot program is to assist selected school districts in implementing comprehensive music education programs for students in kindergarten through grade 2.

(2) In order for a school district to be eligible for participation in the pilot program, the superintendent must certify to the Commissioner of Education, in a format prescribed by the department, that each elementary school within the district has established a comprehensive music education program that:

(a) Includes all students at the school enrolled in kindergarten through grade 2.

(b) Is staffed by certified music educators.

(c) Provides music instruction for at least 30 consecutive minutes 2 days a week.

(d) Complies with class size requirements under s. 1003.03.

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6286 (e) Complies with the department's standards for early
6287 childhood music education programs for students in kindergarten
6288 through grade 2.

6289 (3) (a) The commissioner shall select school districts for
6290 participation in the pilot program, subject to legislative
6291 appropriation, based on the school district's proximity to the
6292 University of Florida and needs-based criteria established by
6293 the State Board of Education. Selected school districts shall
6294 annually receive \$150 per full-time equivalent student in
6295 kindergarten through grade 2 who is enrolled in a comprehensive
6296 music education program.

6297 (b) To maintain eligibility for participation in the pilot
6298 program, a selected school district must annually certify to the
6299 commissioner, in a format prescribed by the department, that
6300 each elementary school within the district provides a
6301 comprehensive music education program that meets the
6302 requirements of subsection (2). If a selected school district
6303 fails to provide the annual certification for a fiscal year, the
6304 school district must return all funds received through the pilot
6305 program for that fiscal year.

6306 (4) The University of Florida's College of Education shall
6307 evaluate the effectiveness of the pilot program by measuring
6308 student academic performance and the success of the program. The
6309 evaluation must include, but is not limited to, a quantitative

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analysis of student achievement and a qualitative evaluation of
students enrolled in the comprehensive music education programs.

(5) The State Board of Education may adopt rules to
administer this section.

(6) This section expires June 30, 2020.

Section 69. If any provision of this act or its
application to any person or circumstance is held invalid, the
invalidity does not affect the remaining provisions or
applications of the act which can be given effect without the
invalid provision or application, and to this end the provisions
of this act are severable.

Section 70. For the 2017-2018 fiscal year, \$413,950,000 in
recurring funds from the General Revenue Fund and \$5 million in
nonrecurring funds from the General Revenue Fund are
appropriated to the Department of Education to implement this
act. Of these funds, \$233,950,000 shall be used to implement the
Best and Brightest Teacher Scholarship Program pursuant to s.
1012.731, Florida Statutes, and the Best and Brightest Principal
Scholarship Program pursuant to s. 1012.732, Florida Statutes,
\$30 million shall be used to implement the Gardiner Scholarship
Program pursuant to s. 1002.385, Florida Statutes, and \$10
million in recurring funds and \$5 million in nonrecurring funds
shall be used to implement the provisions of this act relating
to statewide student assessments. The remaining funds shall be
used to implement the remaining provisions of this act, except

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6335 for the implementation of the Early Childhood Music Education
6336 Incentive Pilot Program, as created by s. 1003.481, Florida
6337 Statutes, the Committee on Early Grade Success, as created by
6338 section 64 of this act, and the Shared Use Task Force, as
6339 created by section 66 of this act.

6340 Section 71. Except as otherwise expressly provided in this
6341 act and except for this section, which shall take effect upon
6342 this act becoming a law, this act shall take effect July 1,
6343 2017.

6344 -----
6345
6346 **T I T L E A M E N D M E N T**

6347 Remove everything before the enacting clause and insert:

6348 A bill to be entitled

6349 An act relating to education; amending s. 11.45, F.S.;
6350 requiring the Auditor General to conduct annual audits
6351 of the Florida School for the Deaf and the Blind;
6352 amending s. 1002.71, F.S.; revising the deadline for
6353 the amendment of a student enrollment count for
6354 specified purposes; amending s. 1003.52, F.S.;
6355 deleting provisions relating to the Florida School for
6356 Boys in Okeechobee; amending s. 1011.62, F.S.;
6357 revising requirements for the recalculation of
6358 specified funds; requiring that the lowest-performing
6359 elementary schools be determined by specified

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6360 assessment results; deleting provisions relating to
6361 caps imposed on the amounts of bonuses awarded to
6362 teachers based on student performance on certain
6363 course examinations and certifications; requiring a
6364 specified amount of funds generated by a certain bonus
6365 be allocated to the school program that generated the
6366 funds; providing for the allocation of supplemental
6367 academic instruction funds; revising the requirements
6368 to be considered a small, isolated school; revising
6369 the requirements for an independent college or
6370 university to participate in specified programs;
6371 providing an alternate district sparsity index
6372 calculation for certain school districts; revising
6373 provisions relating to the research-based reading
6374 instruction allocation and the use of such funds;
6375 revising provisions relating to the Florida digital
6376 classrooms allocation and the use of such funds;
6377 deleting provisions relating to a required district
6378 digital classrooms plan; revising the federally
6379 connected student supplement; revising the calculation
6380 of the exempt property allocation; providing for the
6381 recalculation of the supplement; creating the safe
6382 schools allocation and providing the purpose of the
6383 allocation; providing that under allocations of state
6384 funds may not be the basis for a positive allocation

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6385 adjustment in the current year; conforming provisions
6386 to changes by the act; amending s. 1013.738, F.S.;
6387 revising the purposes for which the High Growth
6388 District Capital Outlay Assistance Grant Program funds
6389 may be used; revising the school district
6390 qualification criteria for the grant; revising the
6391 funding methodology; amending s. 1011.78, F.S.;
6392 revising school district and charter school
6393 requirements to qualify for a standard student attire
6394 incentive payment; creating s. 1003.631, F.S.;
6395 creating the Schools of Excellence Program; providing
6396 for designation as a School of Excellence; providing
6397 requirements for a School of Excellence; providing for
6398 redesignation; authorizing Schools of Excellence to
6399 have specified administrative flexibilities; amending
6400 s. 1012.56, F.S.; requiring the Department of
6401 Education to issue a temporary educator certificate
6402 within a specified period; requiring the department to
6403 provide electronic notice of the issuance of a
6404 temporary certificate to specified entities; requiring
6405 the department to provide the applicant an official
6406 statement of status of eligibility upon issuance of a
6407 temporary certificate; providing content requirements
6408 for the statement of status of eligibility; revising
6409 the criteria instructional personnel must meet to be

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6410 issued a professional certificate; requiring the
6411 department to provide electronic notification of the
6412 expiration of a temporary educator certificate;
6413 requiring the State Board of Education to adopt rules
6414 providing for the extension of a temporary educator
6415 certificate for a specified period under certain
6416 circumstances; providing that an applicant for
6417 professional certification is not required to take or
6418 pass a specified examination under certain
6419 circumstances; authorizing charter schools and charter
6420 management organizations to develop a professional
6421 development certification and education competency
6422 program; revising program requirements; requiring the
6423 department to adopt standards for the approval of such
6424 programs by a specified date; providing requirements
6425 for such standards; requiring each school district and
6426 charter school to submit its program for approval by a
6427 specified date; providing that certification
6428 requirements may not be met in a program that is not
6429 approved by the department after a specified date;
6430 amending s. 1004.04, F.S.; revising core curricula
6431 requirements for certain teacher preparation programs
6432 to include certain reading instruction and
6433 interventions; amending s. 1004.85, F.S.; requiring
6434 certain educator preparation institutes to provide

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evidence of specified reading instruction as a condition of program approval and continued approval; amending s. 1012.585, F.S.; revising requirements for renewal of professional teaching certificates; amending s. 1012.586, F.S.; authorizing the department to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificates; requiring the department to review and make recommendations regarding certain subject coverage or endorsement requirements; providing construction; amending s. 1012.98, F.S.; revising the activities designed to implement the school community professional development act to include specified training relating to a professional development certification and education competency program; revising requirements for school district professional development systems; requiring the department to disseminate professional development programs that meet specified criteria; creating s. 683.1455, F.S.; designating the month of September annually as "American Founders' Month"; authorizing the Governor to annually issue a proclamation containing specified information; amending s. 1000.03, F.S.; revising the priorities of Florida's K-20 education system to include civic literacy; amending s. 1001.215, F.S.;

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6460 revising the duties of the Just Read, Florida! Office;
6461 amending s. 1003.44, F.S.; encouraging public schools
6462 to coordinate certain instruction with American
6463 Founders' Month; amending s. 1007.25, F.S.; requiring
6464 postsecondary students to demonstrate competency in
6465 civic literacy and providing requirements therefor;
6466 providing for the appointment of a faculty committee;
6467 requiring the committee to develop or revise certain
6468 courses and establish specified course competencies;
6469 amending ss. 943.22 and 1001.64, F.S.; conforming
6470 cross-references; amending s. 1002.33, F.S.;
6471 conforming provisions to changes by the act; revising
6472 the charter school application process; revising the
6473 appeals process for a denied charter school
6474 application; requiring the use of the standard charter
6475 contract by specified entities; revising eligibility
6476 requirements for charter school students enrolled in
6477 blended learning courses; revising the criteria for
6478 certain charter schools that must follow corrective
6479 actions; authorizing a charter school to be exempt
6480 from provisions relating to controlled open enrollment
6481 under certain circumstances; clarifying provisions
6482 relating to charter schools and tort liability;
6483 revising the purpose of charter school cooperatives;
6484 authorizing the use of unrestricted assets for

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6485 specified charter schools; requiring such funds to be
6486 used in accordance with specified provisions;
6487 prohibiting the adoption or imposition of specified
6488 requirements by specified entities for charter
6489 schools; revising the public information disclosures
6490 of charter schools; authorizing certain entities to
6491 share facilities with charter schools without
6492 additional approval; providing charter schools are
6493 eligible for capital outlay funds pursuant to
6494 specified provisions; revising the administrative fees
6495 that a district may withhold from charter schools;
6496 requiring charter schools to complete and submit an
6497 annual survey; deleting a requirement that the
6498 Department of Education compare certain data; revising
6499 eligibility criteria for designated local educational
6500 agency status; authorizing the governing board of a
6501 charter school system to be designated a local
6502 educational agency for certain schools; revising State
6503 Board of Education duties; amending 1002.3305, F.S.;
6504 revising the definition for the term "eligible
6505 student" for purposes of the College-preparatory
6506 Boarding Academy Pilot Program; amending s. 1002.331,
6507 F.S.; conforming provisions to changes made by the
6508 act; authorizing a high-performing charter school to
6509 establish more than one charter school in any year

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under certain circumstances; amending s. 1002.332, F.S.; authorizing a high-performing charter school system to replicate its schools in any school district and providing application requirements therefor; providing that certain procedures apply in specified circumstances; conforming cross-references; amending s. 1003.498, F.S.; revising eligibility requirements for students enrolled in blended learning courses; conforming provisions to changes made by the act; amending s. 1007.35, F.S.; revising the name of an ACT assessment for specified purposes; amending s. 1008.34, F.S.; revising the student performance data to be included in school grades; amending s. 1008.341, F.S.; including concordant scores in the calculation of an alternative school's school improvement rating; amending s. 1011.71, F.S.; providing that charter schools are eligible for school districts discretionary millage for specified purposes; revising the approved uses of the discretionary millage; authorizing the acquisition of enterprise resource software through specified means; amending s. 1013.54, F.S.; conforming a cross-reference; amending s. 1013.62, F.S.; providing that charter school capital outlay funds shall consist of specified funds; revising charter school eligibility criteria for

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capital outlay funds; revising the calculation methodology for state funds appropriated for charter school capital outlay; providing the calculation methodology for the distribution of specified revenue to eligible charter schools; revising the authorized uses of charter school capital outlay funds; amending s. 1013.64, F.S.; revising the calculation of capital outlay membership for allocations to school districts from the Public Education Capital Outlay and Debt Service Trust Fund; authorizing a district school board to use funds from any source for the new construction of educational plant space under certain circumstances; amending s. 1003.4282, F.S.; deleting a provision requiring certain students to take the Algebra II end-of-course assessment; revising the options that a district school board or charter school governing board may offer for a student to satisfy certain online course requirements; removing a requirement that a student participating in interscholastic sports pass a competency test on personal fitness to satisfy the physical education credit requirement for high school graduation; amending s. 1003.4285, F.S.; deleting a provision requiring students to pass the Algebra II end-of-course assessment in order to earn a Scholar

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6560 designation; amending s. 1008.22, F.S.; deleting a
6561 provision requiring the Algebra II end-of-course
6562 assessment to be administered; revising requirements
6563 relating to the administration and format of
6564 assessments; providing requirements for administration
6565 of the statewide, standardized English Language Arts
6566 and mathematics assessments in specified grades;
6567 revising provisions relating to reporting requirements
6568 for school district-required local assessments;
6569 providing reporting requirements for certain student
6570 assessment results; requiring the Department of
6571 Education to publish certain assessments on its
6572 website; providing requirements for such publication;
6573 requiring the department to provide materials
6574 regarding assessment information on its website;
6575 conforming cross-references; defining the term
6576 "secondary education"; amending s. 1012.34, F.S.;
6577 revising personnel evaluation procedures and criteria;
6578 requiring independent analysis of student learning
6579 growth data; authorizing, rather than requiring, a
6580 school district to use certain formulas developed by
6581 the commissioner; requiring the Commissioner of
6582 Education to contract for an independent study to
6583 determine whether specified college entrance
6584 examinations may be administered in lieu of certain

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state-required assessments; requiring the commissioner to submit a report on the results of such study to the Governor, Legislature, and State Board of Education by a specified date; amending s. 1001.42, F.S.; revising provisions relating to school improvements plans; requiring only specified schools to submit a school improvement plan; deleting a requirement that certain information be included in the improvement plans of certain schools; revising the grade levels required to implement an early warning system; revising the required content of an early warning system; requiring a specified team to monitor specified data; authorizing a psychologist to be a member of the team; revising what constitutes an educational emergency and establishing duties of district school boards relating to such emergency; prohibiting a district school board from awarding specified contracts based on certain contingency or conditions; providing applicability; providing a directive to the Division of Law Revision and Information; authorizing a school board member to visit specified schools without an appointment; amending s. 1008.33, F.S.; providing requirements the intervention and support strategies must meet; providing for tailored intervention and support services for specified schools; revising the required

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6610 timeline for the implementation of a district-managed
6611 turnaround plan; providing turnaround options
6612 available to school districts meeting specified
6613 criteria; amending s. 1008.345, F.S.; revising
6614 reporting requirements of the Commissioner of
6615 Education relating to the state system of school
6616 improvement and education accountability; revising the
6617 criteria a school must meet to have a community
6618 assessment team; revising the duties of a community
6619 assessment team; creating s. 1002.333, F.S., relating
6620 to persistently low-performing schools; providing
6621 definitions; providing eligibility criteria for hope
6622 operators; providing for the designation and
6623 redesignation of a hope operator; authorizing hope
6624 operators to establish schools of hope in specified
6625 areas; providing the process for the establishment of
6626 a school of hope; providing the requirements for a
6627 performance-based agreement; authorizing a school of
6628 hope to be designated as a local education agency;
6629 providing that a sponsor is not liable for specified
6630 damages; providing that a school of hope may be a
6631 private or public employer; authorizing a school of
6632 hope to participate in the Florida Retirement System;
6633 authorizing a hope operator to employ certain staff;
6634 providing specific statutory exemptions for schools of

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hope; requiring a school of hope to report its students for specified purposes; requiring a school district to include specified students in the district's report of student enrollment; requiring certain schools to comply with specified reporting guidelines; requiring a school of hope to provide the school district with a financial statement summary sheet that meets certain requirements; providing requirements for facilities used by schools of hope; requiring districts to annually provide a list of specified property to the department; requiring certain school districts that do not enter into specified agreements within a certain timeframe to reduce specified fees; providing for attorney fees under certain circumstances; providing that schools of hope shall be funded through the Florida Education Finance Program; creating the Schools of Hope Program; providing that schools of hope are eligible for funds through the program; providing guidelines for the use of such funds; providing that certain traditional public schools are eligible for such funds; providing duties of the State Board of Education; providing a mechanism to address school district noncompliance; providing authority and obligations of the State Board of Education; providing a mechanism for the resolution

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6660 of disputes; providing for rulemaking; creating s.
6661 1001.291, F.S.; establishing the Schools of Hope
6662 Revolving Loan Program; providing criteria for
6663 administration of the program; amending s. 1011.69,
6664 F.S.; requiring school districts to provide specified
6665 funds directly to schools eligible to receive such
6666 funds; providing a definition; authorizing school
6667 districts to withhold certain funds for specified
6668 purposes; authorizing eligible schools to use funds to
6669 participate in certain services; amending s. 1012.731,
6670 F.S.; providing the scholarship amount for the Florida
6671 Best and Brightest Teacher Scholarship Program;
6672 revising the future eligibility criteria for the
6673 program; providing additional scholarships to certain
6674 teachers for specified school years; providing for
6675 retention of a classroom teacher's scholarship
6676 eligibility under certain circumstances; requiring
6677 each school district to annually submit certain
6678 information to the Department of Education; deleting
6679 the scheduled expiration of the section; creating s.
6680 1012.732, F.S.; creating the Florida Best and
6681 Brightest Principal Scholarship Program; providing
6682 legislative intent; providing for funding of the
6683 program; providing for certain school principals to
6684 receive a scholarship under the program; providing

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eligibility requirements; providing scholarship amounts; requiring the department to annually identify eligible school principals and disburse funds to school districts by a specified date; requiring each eligible school principal to receive a scholarship; requiring school districts to annually award scholarships to eligible school principals by a specified date; requiring school districts to provide best and brightest principals with specified additional authority and responsibilities; defining the term "school district"; amending s. 1002.385, F.S.; revising a definition for the Gardiner Scholarship Program; defining the term "inactive" for the purposes of the program; authorizing program funds to be used for specified purposes and by specified entities; prohibiting billing of certain entities for services paid for through the program; revising private school eligibility requirements; providing that consecutive years of certain material exceptions constitutes program ineligibility for certain private schools; prohibiting certain students from receiving additional scholarship payments until certain conditions are met; revising funding calculations; amending s. 1003.455, F.S.; requiring district school boards to provide a specified amount of recess to

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6710 certain students; amending s. 1002.37, F.S.; revising
6711 eligibility requirements for specified students to
6712 receive part-time instruction at the Florida Virtual
6713 School; removing provisions requiring the Auditor
6714 General to conduct an operational audit of the Florida
6715 Virtual School; amending s. 1002.455, F.S.;
6716 authorizing all students, including home education and
6717 private school students, to participate in specified
6718 virtual instruction options; deleting the eligibility
6719 criteria for a student to participate in virtual
6720 instruction; amending s. 1002.45, F.S.; revising
6721 student eligibility and participation requirements for
6722 virtual instruction programs; amending s. 1002.20,
6723 F.S.; revising requirements for notifying a parent of
6724 a student with a substantial reading deficiency;
6725 authorizing a parent to request and be granted
6726 permission for a student's absence from school for
6727 treatment of autism spectrum disorder by a licensed
6728 health care practitioner; authorizing a student to
6729 possess and use a topical sunscreen while on school
6730 property or at a school-sponsored event or activity
6731 under certain circumstances; amending s. 1002.69,
6732 F.S.; requiring data from the statewide kindergarten
6733 screening to be used to identify certain students;
6734 amending s. 1008.25, F.S.; requiring district school

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boards to allocate certain instruction resources to certain students deficient in reading; revising criteria and requiring the State Board of Education to identify guidelines for determining whether certain students have a substantial deficiency in reading; providing that students with a substantial reading deficiency must be covered by certain plans; revising the parental notification requirements for students with a substantial deficiency in reading; requiring the Department of Education to develop or contract with another entity to develop a handbook containing specific information for parents of students with a substantial reading deficiency; defining the terms "dyslexia" and "dyscalculia"; requiring schools to provide certain instruction to students who received a good cause exemption from retention; revising grounds for such good cause exemption; revising intervention requirements for certain retained students; revising provisions relating to the Intensive Acceleration Class for retained students in certain grades; revising student progress evaluation requirements; amending s. 1011.67, F.S.; revising the contents of a comprehensive staff development plan required for each school district to receive instructional materials funds; amending s. 1002.51, F.S.; defining the term

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6760 "public school prekindergarten provider"; amending s.
6761 1003.21, F.S.; requiring each district school board to
6762 adopt an attendance policy authorizing a student's
6763 absence for treatment of autism spectrum disorder;
6764 amending s. 1003.24, F.S.; revising an exemption
6765 relating to parental responsibility for nonattendance
6766 of a student to include treatment for autism spectrum
6767 disorder; amending s. 1003.4156, F.S.; deleting
6768 requirements relating to the career and education
6769 planning course for middle grades promotion; amending
6770 s. 1003.57, F.S.; prohibiting certain school districts
6771 from declining to provide or contract for certain
6772 students' educational instruction; providing for
6773 funding of such students; amending s. 1006.40, F.S.;
6774 providing an exception from the required uses of a
6775 specified allocation for certain school districts;
6776 amending s. 1009.60, F.S.; revising eligibility
6777 criteria for receipt of a minority teacher education
6778 scholarship; amending s. 1009.605, F.S.; revising the
6779 scholar awards on which the Florida Fund for Minority
6780 Teachers, Inc.'s, budget projection must be based;
6781 creating the Committee on Early Grade Success within
6782 the Department of Education; specifying committee
6783 purpose; requiring the committee to develop a proposal
6784 for specified purposes; providing proposal

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requirements; providing for membership of the committee; providing requirements for electing a committee chair and vice chair; providing committee meeting requirements; requiring the University of Florida Lastinger Center for Learning to provide necessary staff for the committee; requiring the committee to submit a report by a specified date; providing for the expiration of the committee; authorizing rulemaking; creating s. 1013.101, F.S.; providing legislative findings and intent; defining terms; requiring the Department of Education to provide specified assistance to school districts; creating the Shared Use Task Force within the department; specifying the purpose and membership of the task force; providing requirements for electing a task force chair and vice chair and conducting its meetings; requiring the department to provide the task force with necessary staff; requiring the task force to submit a report to the Legislature by a specified date; providing for expiration of the task force; amending s. 125.901, F.S.; providing that the membership of the governing body of certain independent special districts in specified counties may include the designee of the superintendent of schools in lieu of the superintendent; creating s.

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6810 1003.481, F.S.; creating the Early Childhood Music
6811 Education Incentive Pilot Program within the
6812 Department of Education for a specified period;
6813 providing for school district eligibility; providing
6814 comprehensive music education program requirements;
6815 providing for school district selection, funding, and
6816 program payments; requiring selected school districts
6817 to annually provide a specified certification to the
6818 Commissioner of Education; requiring a selected school
6819 district to return funds under certain circumstances;
6820 requiring the University of Florida's College of
6821 Education to perform an evaluation; authorizing the
6822 State Board of Education to adopt rules; providing for
6823 expiration of the pilot program; providing for
6824 severability; providing appropriations; providing
6825 effective dates.